

Date	Name	Hours	Description
6/18/2010	Richard A. Wunderlich	1.5	Conference with clients; review client materials; telephone conferences with J. Barnes
7/14/2010	Richard A. Wunderlich	0.8	Conference with J. Barnes re amended claim and information
7/14/2010	Sarah J. Garber	4.6	Review plaintiff's first amended petition; review motion to dismiss; conference with J. Barnes re potential defenses to plaintiff's insurance claims; draft engagement letter to Captiva Investments
7/15/2010	Sarah J. Garber	2.8	Research availability of tort of bad faith against Defendant Lawyers Title
7/19/2010	Sarah J. Garber	1.7	Review client documents re demand for coverage under Lawyers Title Insurance Policy; research potential claims
7/20/2010	Sarah J. Garber	2.7	Research potential claims against Lawyers Title for vexatious refusal; research potential claims
7/20/2010	Richard A. Wunderlich	0.5	Review client documents and information; telephone conference with J. Barnes; telephone conference with J. Davis
7/21/2010	Sarah J. Garber	4.4	Revise engagement letter budget for services; begin drafting claim letter to Lawyers Title; review client documents re proposed sale of subject property
7/22/2010	Sarah J. Garber	1.4	Draft claim letter to Lawyers Title re unmarketability of title
7/23/2010	Sarah J. Garber	1.0	Draft claim letter to Lawyers Title re unmarketability of title
7/23/2010	Richard A. Wunderlich	0.6	Telephone conference with client representatives re strategy given dismissal; review order
7/30/2010	Richard A. Wunderlich	0.5	Telephone conference with D. Stegman re conference with M. Blanchard; telephone conference with M. Blanchard's office; work on claim statement; telephone conference with J. Barnes; e-mail correspondence to J. Barnes
7/30/2010	Sarah J. Garber	1.0	Revise insurance claim for unmarketability of title
8/2/2010	Richard A. Wunderlich	0.6	Work on claim letter
8/3/2010	Richard A. Wunderlich	0.4	Correspondence re claim under policy; e-mail correspondence to client and J. Barnes
8/5/2010	Sarah J. Garber	1.7	Obtain most recent pending disbursement endorsement; review correspondence re letters from M. Dickhute dated May 14, 2010 and June 17, 2010
8/6/2010	Richard A. Wunderlich	0.5	Correspondence to M. Dickhute
8/11/2010	Richard A. Wunderlich	0.6	Correspondence to M. Dickhute; telephone

	conference with D. Stegmann; e-mail correspondence to J. Davis; review correspondence from M. Blanchard; correspondence to M. Blanchard
8/13/2010 Sarah J. Garber	2.4 Correspondence to M. Blanchard requesting copy of files re mechanic's lien suits; research fiduciary duties of attorney hired by insurer
8/13/2010 Richard A. Wunderlich	0.3 Correspondence to M. Blanchard
8/19/2010 Richard A. Wunderlich	0.2 Correspondence to M. Blanchard
8/24/2010 Richard A. Wunderlich	0.3 Correspondence to M. Blanchard
8/24/2010 Sarah J. Garber	2.3 Revise correspondence to M. Blanchard; research relationship between attorney hired by insurer to insured
9/1/2010 Richard A. Wunderlich	0.6 Review correspondence from M. Blanchard re client files and information; telephone conference with J. Davis, B. Stegmann and Dan Stegmann; e-mail correspondence to B. Stegmann and J. Davis
9/7/2010 Richard A. Wunderlich	0.4 E-mail correspondence to client; work on correspondence
9/14/2010 Richard A. Wunderlich	0.5 Correspondence to M. Dickhute; review client documents and information
9/16/2010 Richard A. Wunderlich	0.4 Correspondence to M. Dickhute; e-mail correspondence to client
9/30/2010 Richard A. Wunderlich	0.5 Work on petition
10/1/2010 Evan Z. Reid	1.0 Work on review of recent correspondence received from Lawyers Title; work on petition
10/4/2010 Evan Z. Reid	0.7 Work on petition; work on review of case file re same
10/5/2010 Evan Z. Reid	1.1 Work on petition; work on review of case file re same
10/7/2010 Evan Z. Reid	1.3 Work on review of federal complaint filed with Fidelity; review exhibits to complaint
10/8/2010 Evan Z. Reid	1.6 Work on review of federal complaint filed with Fidelity; review exhibits to complaint; work on analysis of legal basis of complaint
10/11/2010 Evan Z. Reid	1.3 Work on responsive pleading; work on research re same; work on counterclaim
10/12/2010 Evan Z. Reid	3.0 Telephone conference with J. Barnes re background of case and factual analysis of federal complaint; work on responsive pleading; work on research re same
10/26/2010 Evan Z. Reid	2.9 Work on counterclaim; work on review of client documents re same
10/27/2010 Richard A. Wunderlich	1.1 Conference with J. Davis and J. Barnes re strategy and jurisdiction issues; work on responsive pleading

10/27/2010 Evan Z. Reid	0.3 Work on counterclaim
10/29/2010 Richard A. Wunderlich	0.4 Telephone conference with prior counsel
11/2/2010 Sarah J. Garber	1.0 Draft answer to plaintiff's complaint
11/3/2010 Sarah J. Garber	4.9 Draft answer to plaintiff's complaint
11/4/2010 Sarah J. Garber	2.8 Draft answer to plaintiff's complaint
11/5/2010 Sarah J. Garber	5.2 Draft answer, affirmative defenses, and counterclaims to plaintiff's complaint
11/8/2010 Richard A. Wunderlich	0.6 Telephone conference with D. Stegmann re status of responsive pleading; work on answer and counterclaim
11/10/2010 Sarah J. Garber	0.7 Draft memorandum re quotations of policy language in plaintiff's complaint and correspondence from M. Dickhute
11/10/2010 Richard A. Wunderlich	0.7 Work on answer and counterclaim
11/11/2010 Sarah J. Garber	4.3 Draft memorandum re quotations of policy language in plaintiff's complaint and correspondence from M. Dickhute
11/16/2010 Sarah J. Garber	7.0 Draft memorandum re quotations of policy language in plaintiff's complaint and correspondence from M. Dickhute; research validity of Lawyer's Title's defenses to mechanics' lien coverage
11/17/2010 Richard A. Wunderlich	2.0 Conference with client representatives and J. Barnes; work on answer and counterclaim
11/17/2010 Sarah J. Garber	3.0 Draft memorandum re quotations of policy language in plaintiff's complaint and correspondence from M. Dickhute; research validity of Lawyer's Title's defenses to mechanics' lien coverage
11/22/2010 Sarah J. Garber	5.9 Research case law cited by M. Dickhute in correspondence; draft memorandum addressing Lawyers Title's claims re coverage for mechanics' liens
11/22/2010 Richard A. Wunderlich	0.4 Work on answer and counterclaim; e-mail correspondence to B. Stegmann re information
11/23/2010 Richard A. Wunderlich	0.6 Work on answer and counterclaim; review documents re allegations
11/23/2010 Sarah J. Garber	4.0 Revise Defendant's Answer to Plaintiff's compliant re title insurance coverage
11/24/2010 Sarah J. Garber	0.1 E-mail correspondence re mechanics' lien coverage
11/24/2010 Richard A. Wunderlich	1.5 Work on answer and counterclaim; review client documents and information re transaction with NCB
11/29/2010 Richard A. Wunderlich	0.5 Work on answer and counterclaim; review documents referenced in complaint

11/30/2010 Richard A. Wunderlich	1.5 Work on counterclaim and answer; review documents; telephone conference with D. Stegmann; telephone conference with J. Barnes
11/30/2010 Sarah J. Garber	0.1 E-mail correspondence re claims under title insurance policy with Lawyers' Title
12/1/2010 Sarah J. Garber	3.0 Conference re draft answer and counterclaims; revise answer and counterclaims
12/1/2010 Richard A. Wunderlich	1.0 Work on answer and counterclaim
12/2/2010 Richard A. Wunderlich	0.9 Work on answer and counterclaim; telephone conference with J. Barnes
12/2/2010 Sarah J. Garber	1.3 Conferences re revisions to draft answer and counterclaim; organize documents to be included as exhibits thereto
12/3/2010 Sarah J. Garber	0.9 Gather and organize exhibits to Captiva's answer and counterclaim; make revisions to Captiva's answer and counterclaim
12/6/2010 Richard A. Wunderlich	1.6 Work on answer and counterclaim; e-mail correspondence with client representatives
12/23/2010 Richard A. Wunderlich	0.5 Review motion to dismiss and memorandum in support; e-mail correspondence with clients; telephone conference with D. Stegmann
12/23/2010 Steven D. Hall	0.4 Research local and federal rules re responses to counterclaims and Rule 16 conferences
12/27/2010 Steven D. Hall	1.2 Conference re motion to dismiss; review pleadings; review rules relating to responses to motions to dismiss; telephone conference with J. Glassman re additional time to respond; telephone conference with court clerk re time computations due to holidays
12/28/2010 Steven D. Hall	3.2 E-mail correspondence to J. Glassman re scheduling conference and additional time to respond to motion to dismiss; draft and file entry of appearance and motion for additional time to respond to motion to dismiss; review pleadings
12/29/2010 Steven D. Hall	1.1 Review order re Rule 16 conference; e-mail correspondence and telephone conference with J. Glassman re scheduling conference; review plaintiff's answer to counterclaim and motion to dismiss; review and research legal authority cited within plaintiff's motion to dismiss counterclaim
12/30/2010 Steven D. Hall	5.2 Work on research re applicability of Missouri's declarative judgment statute; work on research re Federal Declaratory Judgment Act and its applicability; work on research re effect of other adequate remedies re applicability of Federal Declaratory Judgment Act; work on research re pleading requirements; work on research re recoverability of attorney fees under Federal Declaratory Judgment Act; work on memorandum in opposition to motion to dismiss counterclaim

12/31/2010 Steven D. Hall	4.8 Work on memorandum in opposition to motion to dismiss counterclaim; work on research re sustaining breach of contract and tortious interference claims
1/3/2011 Steven D. Hall	2.1 Work on memorandum in opposition to motion to dismiss counterclaim; telephone conference with court clerk and J. Glassman re scheduling conference; work on motion to move scheduling conference
1/3/2011 Richard A. Wunderlich	0.5 Work on response to motion to strike and motion to dismiss
1/5/2011 Richard A. Wunderlich	0.8 Work on memorandum in opposition to motion to dismiss
1/6/2011 Steven D. Hall	0.4 Work on memorandum in opposition to motion to dismiss counterclaim
1/10/2011 Steven D. Hall	2.2 Conference re motion to dismiss counterclaims; work on response in opposition to motion to dismiss counterclaims; review docket; review correspondence from S. Briner re scheduling conference; correspondence to S. Briner re scheduling conference; review motion to strike affirmative defenses and authorities cited therein; draft and file response in opposition to motion to strike affirmative defenses
1/13/2011 Steven D. Hall	0.4 E-mail correspondence to S. Briner re Rule 16 conference; conference re same
1/17/2011 Richard A. Wunderlich	0.5 E-mail correspondence to clients re Grau settlement; correspondence to M. Blanchard and attorney for Title Company re settlement proposal
1/18/2011 Richard A. Wunderlich	0.7 Work on response to title company correspondence; telephone conference with client; review court orders; review reply pleadings filed by Fidelity to pending motions
1/19/2011 Steven D. Hall	0.2 Review unopposed joint motion to continue Rule 16 conference; review correspondence from J. Glassman re same
1/19/2011 Richard A. Wunderlich	0.2 E-mail correspondence to M. Dickhute; review correspondence
1/21/2011 Steven D. Hall	0.5 Research court rules re responding to reply to motion; review recent pleadings
1/21/2011 Richard A. Wunderlich	0.4 Review correspondence from M. Blanchard re settlement with Grau; e-mail correspondence to clients re correspondence with title company and M. Blanchard; telephone conference with J. Davis
1/22/2011 Steven D. Hall	0.9 Review reply memoranda to Captiva's responses to motions to strike, motion to dismiss, amended motion and memorandum to strike
1/24/2011 Steven D. Hall	4.9 Work on comparing plaintiff's reply memoranda to Captiva's initial motions to strike and to

	dismiss; review amended motion and memorandum to strike; review authorities cited in briefing re striking affirmative defenses and pursuit of dismissal; research law re basis for dismissal of declaratory judgment counterclaim and range of damages recoverable by insured when insurer refuses to afford coverage; conference re same
1/24/2011 Richard A. Wunderlich	0.3 Prepare correspondence to M. Blanchard; e-mail correspondence to J. Davis
1/25/2011 Richard A. Wunderlich	0.6 Work on sur-reply to plaintiff's motion to dismiss counterclaim; e-mail correspondence to clients; telephone conference with D. Stegmann
1/25/2011 Steven D. Hall	5.2 Work on research re filing sur-reply to plaintiff's reply in support of motion to dismiss; draft and file motion for leave to file sur-reply; work on research re basis for dismissal of declaratory judgment counterclaim under federal law; research damages to be pled re sustaining claim against insurer for failing to defend or indemnify; research range of attorney fees recoverable against insurer failing to tender defense of insured; draft and file sur-reply
1/26/2011 Steven D. Hall	0.2 Review court orders
1/28/2011 Steven D. Hall	0.4 Work on corporate interest disclosure certificate; file same with court
2/2/2011 Richard A. Wunderlich	0.5 E-mail correspondence to clients re communications with M. Blanchard; work on response
2/3/2011 Richard A. Wunderlich	0.2 E-mail correspondence to clients re communications with M. Blanchard
2/16/2011 Richard A. Wunderlich	0.4 E-mail correspondence to J. Davis; review correspondence from M. Blanchard re mechanic lien issues; work on response; telephone conference with J. Davis
2/18/2011 Richard A. Wunderlich	0.6 E-mail correspondence to client; correspondence to M. Blanchard; review e-mail correspondence from Division of Insurance re investigation; telephone conference with J. Davis
3/1/2011 Steven D. Hall	0.2 E-mail correspondence to J. Glassman re proposed scheduling order and need to schedule meet-and-confer prior to Rule 16 conference
3/2/2011 Steven D. Hall	0.2 E-mail correspondence to J. Glassman re proposed scheduling order and need to schedule meet-and-confer prior to Rule 16 conference
3/3/2011 Richard A. Wunderlich	0.3 Review proposed scheduling order and information
3/7/2011 Richard A. Wunderlich	0.6 Work on proposed scheduling order; telephone conference with S. Briner re proposed scheduling order per court directive; review revised proposed order

3/7/2011 Steven D. Hall	0.4 Conference re plaintiff's proposed scheduling order; research definitions for electronically stored information and litigation tracks for U.S. District Court, Eastern District of Missouri; review revised proposed scheduling order
3/9/2011 Steven D. Hall	0.3 Review orders entered by court denying plaintiff's motions to dismiss counterclaims and strike affirmative defenses
3/17/2011 Richard A. Wunderlich	1.1 Prepare for scheduling conference; attend conference
3/18/2011 Richard A. Wunderlich	0.7 Review court orders; telephone conference with J. Davis re scheduling; e-mail correspondence to clients re status of matters and scheduling; work on Rule 26 disclosures and discovery
3/22/2011 Steven D. Hall	0.3 Draft Rule 26 disclosures
3/28/2011 Steven D. Hall	0.4 Research and draft Rule 26 disclosures
3/29/2011 Richard A. Wunderlich	0.4 Review answer
3/31/2011 Steven D. Hall	0.2 Revise subpoena directed to Sauerwein, Simon & Blanchard, P.C.
3/31/2011 Bridget A. Walton	1.5 Prepare subpoena, notice of subpoena and document requests directed to Sauerwein, Simon and Blanchard, P.C.
4/4/2011 Richard A. Wunderlich	0.2 Telephone conference with J. Davis; e-mail correspondence to J. Davis
4/5/2011 Bridget A. Walton	0.4 Revise subpoena and related documents directed to M. Blanchard at Sauerwein Simon and Blanchard, P.C.
4/11/2011 Steven D. Hall	1.1 Draft Rule 26 disclosures; research file to validate accuracy of disclosures
4/11/2011 Richard A. Wunderlich	0.6 Work on discovery; e-mail correspondence to J. Davis; telephone conference with J. Davis
4/13/2011 Steven D. Hall	0.8 Revise Rule 26 disclosures; draft discovery requests
4/14/2011 Steven D. Hall	2.6 Revise Rule 26 disclosures; research and draft interrogatories directed to plaintiff
4/15/2011 Steven D. Hall	1.1 Revise and file Rule 26 disclosures; telephone conference with J. Davis re disclosures; draft interrogatories directed to plaintiff; telephone conference with court clerk re disclosures; e-mail correspondence to S. Briner re disclosures
4/16/2011 Steven D. Hall	1.6 Work on first set of interrogatories directed to plaintiff and first requests for production of documents; review Rule 26 disclosures filed by plaintiff
4/19/2011 Steven D. Hall	0.6 Review plaintiff's motion to quash subpoena; conference re same

4/19/2011 Richard A. Wunderlich	0.8 Work on opposition to motion to quash; review documents; e-mail correspondence to B. Stegmann
4/22/2011 Steven D. Hall	4.6 Review plaintiff's motion to quash subpoena and authorities cited therein; draft and file motion for extension of time to respond to motion to quash; research re which party is entitled to assert attorney-client privilege when insurer chooses legal counsel for insured; review client documents containing correspondence between client and Lawyers Title and counsel at Sauerwein law firm
4/25/2011 Richard A. Wunderlich	0.9 Telephone conference with D. Stegmann; work on memorandum in opposition to motion to quash
4/26/2011 Steven D. Hall	2.2 Work on research re opposition to motion to quash; draft opposition to plaintiff's motion to quash
4/27/2011 Steven D. Hall	6.7 Work on legal research re ethical duties of an attorney hired to represent an insured; research re effect of any conflict of interest between insured and insurer on counsel chosen by insurer; review client documents; draft and revise memorandum in opposition to plaintiff's motion to quash
4/28/2011 Richard A. Wunderlich	1.1 Work on memorandum in opposition to motion to quash
4/28/2011 Steven D. Hall	5.8 Work on research re ownership of client file; work on research re work product privilege under Missouri law; draft and revise memorandum in opposition to plaintiff's motion to quash
4/28/2011 Sarah J. Garber	3.8 Research application of federal work product protection to work generated in connection with state court litigation; research issues re ownership of client files
4/29/2011 Sarah J. Garber	0.7 Review and revise response to plaintiff's motion to quash
4/29/2011 Steven D. Hall	0.3 Revise and file memorandum in opposition to plaintiff's motion to quash subpoena; conference re same
4/29/2011 Richard A. Wunderlich	0.7 Work on memorandum in opposition to motion to quash
5/2/2011 Richard A. Wunderlich	0.5 Work on discovery directed to plaintiff; e-mail correspondence to S. Briner re additional time to respond
5/11/2011 Steven D. Hall	0.6 Work on requests for production of documents; work on first set of interrogatories; conference re same
5/11/2011 Richard A. Wunderlich	0.4 E-mail correspondence to B. Stegmann; telephone conference with J. Davis; correspondence to M. Blanchard
5/13/2011 Richard A. Wunderlich	0.5 Review reply of Fidelity in support of its motion to quash; review correspondence from M. Dickhute

5/17/2011 Richard A. Wunderlich	0.3 Telephone conference with J. Davis re reply; correspondence to M. Blanchard
5/18/2011 Steven D. Hall	3.6 Work on correspondence to M. Blanchard re scope of representation; review client documents for earliest communication exclusively limiting scope of mechanic's liens representation to litigation re priority of liens
5/19/2011 Steven D. Hall	1.8 Revise correspondence to M. Blanchard re scope of representation of Captiva; conference re same; review e-mail correspondence re same
5/19/2011 Richard A. Wunderlich	0.5 Correspondence to M. Blanchard; conference with J. Davis re reply
5/20/2011 Steven D. Hall	0.4 Telephone conference with D. Stegmann and J. Barnes re correspondence to M. Blanchard re scope of representation of Captiva
5/31/2011 Richard A. Wunderlich	0.6 Telephone conference with J. Davis, D. Stegmann and B. Stegmann re amended answer and correspondence with M. Blanchard; correspondence to M. Blanchard; e-mail correspondence with M. Dickhute re defense of claims
6/1/2011 Richard A. Wunderlich	0.4 E-mail correspondence to client re correspondence with M. Dickhute; review correspondence from M. Dickhute
6/2/2011 Richard A. Wunderlich	0.3 E-mail correspondence to B. Stegmann re correspondence with M. Blanchard; telephone conference with J. Davis
6/2/2011 Steven D. Hall	0.3 Review correspondence between Fidelity and M. Blanchard to Captiva's representatives
6/8/2011 Richard A. Wunderlich	0.4 Telephone conference with J. Barnes re issues
6/9/2011 Richard A. Wunderlich	1.2 Correspondence to M. Dickhute; telephone conference with J. Barnes
6/10/2011 Richard A. Wunderlich	0.4 Correspondence to M. Dickhute re defense of construction defect issues; e-mail correspondence to clients
6/16/2011 Richard A. Wunderlich	0.2 E-mail correspondence to B. Stegmann re status of mechanic lien actions
6/17/2011 Richard A. Wunderlich	0.5 Telephone conference with D. Stegmann re status of discovery issues; review court ruling denying motion to quash subpoena served on Blanchard firm; telephone conference with J. Davis; e-mail correspondence to clients
6/17/2011 Steven D. Hall	0.2 Review court order denying plaintiff's motion to quash subpoena
6/22/2011 Richard A. Wunderlich	0.5 E-mail correspondence to M. Dickhute; review correspondence; e-mail correspondence to clients
6/24/2011 Richard A. Wunderlich	1.2 Review client information re response to M. Dickhute correspondence; telephone conference

	with B. Stegmann; review client documents and information; respond to correspondence
6/28/2011 Richard A. Wunderlich	0.2 E-mail correspondence to S. Birner re production of Blanchard firm records and documents
7/5/2011 Richard A. Wunderlich	0.4 Telephone conference with W. Sauerwein re status of M. Blanchard; e-mail correspondence to client
7/6/2011 Richard A. Wunderlich	0.3 E-mail correspondence to B. Stegmann re M. Blanchard's firm
7/11/2011 Richard A. Wunderlich	0.6 Review discovery responses
7/12/2011 Richard A. Wunderlich	0.3 Review discovery responses from Fidelity; e-mail correspondence to clients
7/12/2011 Steven D. Hall	0.7 Review Fidelity's discovery responses; review documents
7/18/2011 Steven D. Hall	0.2 Review Fidelity's discovery responses and documents
7/19/2011 Richard A. Wunderlich	0.6 Telephone conference with J. Barnes re production by M. Blanchard firm
7/26/2011 Richard A. Wunderlich	0.6 E-mail correspondence to B. Stegmann re status of review of documents; review information re status of State investigation
7/26/2011 Steven D. Hall	0.3 Telephone conference with J. Glassman and S. Briner re reviewing or otherwise obtaining copies of documents deemed responsive to discovery requests; conference re same
7/29/2011 Richard A. Wunderlich	0.3 Telephone conference with J. Davis re production
7/29/2011 Steven D. Hall	0.3 E-mail correspondence to L. Viehmann and S. Briner re outstanding discovery matters
8/1/2011 Richard A. Wunderlich	0.8 Review documents produced by Fidelity; telephone conference with B. Stegmann
8/2/2011 Richard A. Wunderlich	0.4 Review document production
8/8/2011 Richard A. Wunderlich	1.2 Review documents produced by Fidelity and documents produced by Blanchard firm; work on discovery issues
8/18/2011 Richard A. Wunderlich	0.6 E-mail correspondence with B. Stegmann; review documents produced by Lawyers Title; e-mail correspondence with M. Dickhute
8/19/2011 Richard A. Wunderlich	0.5 E-mail correspondence with M. Dickhute re title issues; review information from B. Stegmann
8/22/2011 Richard A. Wunderlich	0.7 Review privilege log and documents produced by Fidelity; prepare for meeting with clients
8/23/2011 Richard A. Wunderlich	1.2 Conference with clients re strategy and discovery matters
8/23/2011 Steven D. Hall	0.2 Conference re Fidelity's assertion of privilege; e-mail correspondence to and from S.

	Briner re same
8/24/2011 Steven D. Hall	0.2 E-mail correspondence to S. Briner re discovery
8/26/2011 Steven D. Hall	0.4 Telephone conference with S. Briner re discovery concerns; review e-mail correspondence from S. Briner; work on subpoenas for depositions of persons associated with Sauerwein Simon P.C.
8/29/2011 Steven D. Hall	0.3 Prepare subpoenas directed to B. Simpson, A. Stockberger, and custodian of records at Sauerwein Simon, P.C.
9/1/2011 Richard A. Wunderlich	0.5 Review documents produced by Sauerwein firm; telephone conference with W. Sauerwein
9/6/2011 Richard A. Wunderlich	0.7 Work on discovery; e-mail correspondence with client re discovery issues
9/12/2011 Richard A. Wunderlich	1.8 E-mail correspondence with S. Briner re documents listed on privilege log and production; review discovery directed to Captiva; e-mail correspondence with clients; telephone conference with J. Davis; review documents produced by Blanchard firm
9/12/2011 Steven D. Hall	0.3 Review e-mail correspondence from S. Briner; review discovery requests
9/13/2011 Steven D. Hall	4.8 Review objections to plaintiff's first set of interrogatories, first request for documents and first request for admissions; work on discovery responses re same; work on research re discoverability of third party documents and objections thereto; telephone conference with S. Briner re discovery
9/13/2011 Richard A. Wunderlich	0.5 Work on discovery responses
9/14/2011 Richard A. Wunderlich	1.7 Work on discovery issues and deposition matters; telephone conference with S. Briner re depositions; review documents; telephone conference with W. Sauerwein re depositions and document production; telephone conference with W. Alper-Pressman
9/14/2011 Steven D. Hall	0.2 Telephone conference with S. Briner re discovery; conference re status of depositions
9/16/2011 Steven D. Hall	0.5 Work on research re need for expert testimony; conference re same; review documents received from Fidelity
9/16/2011 Richard A. Wunderlich	1.2 Review document productions; review documents and correspondence received from S. Briner re privilege log and correspondence between Fidelity and Blanchard firm; telephone conference with J. Davis
9/19/2011 Steven D. Hall	0.5 Review documents produced by Fidelity; e-mail correspondence with client re same
9/21/2011 Steven D. Hall	0.6 Revise discovery responses; e-mail correspondence to client re same; telephone conference with R. Graham re subpoena Fidelity

served on Armstrong Teasdale; draft e-mail correspondence re same

9/22/2011 John H. Kohler	1.8 Review case file; review July 2009 Assignment of Loan and Loan Documents; review March 2006 closing letter and related documents; conference re same
9/22/2011 Richard A. Wunderlich	0.6 Work on discovery; e-mail correspondence with client; correspondence to S. Briner; review subpoenas served on third parties and attorneys
9/22/2011 Steven D. Hall	3.7 Review subpoenas from Fidelity; e-mail correspondence to client re same; review client documents
9/23/2011 Steven D. Hall	4.4 Review pleadings; work on responses to plaintiff's interrogatories, response to plaintiff's request for admissions and response to plaintiff's request for production of documents; telephone conference with J. Davis and B. Stegmann re same; review documents obtained from Fidelity; review Fidelity's privilege log
9/23/2011 Richard A. Wunderlich	0.8 Telephone conference with W. Alper Pressman re subpoena served on PNC Bank
9/25/2011 Steven D. Hall	2.4 Work on responses to plaintiff's interrogatories, request for admissions and request for production of documents; e-mail correspondence to client re same; review documents obtained from Fidelity
9/26/2011 Steven D. Hall	0.4 Review client documents
9/26/2011 Richard A. Wunderlich	0.5 Work on discovery responses; review documents
9/27/2011 Steven D. Hall	4.5 Review documents produced by Fidelity; analyze privilege log relative to court's order commanding production of materials Fidelity claimed to be privileged
9/28/2011 Steven D. Hall	2.1 Work on insert to correspondence to S. Briner; work on correspondence to S. Briner re discovery deficiencies; revise discovery responses; conference re same; review documents produced by Fidelity
9/29/2011 Steven D. Hall	6.3 Review documents produced by Fidelity; analyze privilege log; draft time line; review court order relating to discovery deadlines
9/30/2011 Steven D. Hall	2.8 Review documents produced by Fidelity; compare documents produced by Sauerwein law firm with those produced by Fidelity; work on response to plaintiff's first interrogatories; work on insert for correspondence to S. Briner re discovery deficiencies
10/3/2011 Steven D. Hall	4.4 Work on research re Fidelity's potential discovery deficiencies; review documents produced by Fidelity; work on timeline of key events
10/4/2011 Steven D. Hall	5.9 Telephone conference with B. Graham and S.

	Briner re subpoena served upon Armstrong law firm; correspondence to S. Briner re discovery deficiencies; review documents produced by Fidelity; work on timeline of key events
10/4/2011 John H. Kohler	3.6 Work on review of case file re attorney billing statements
10/5/2011 Steven D. Hall	6.8 Telephone conference with B. Graham and J. Summerville re subpoena served upon Armstrong law firm; e-mail correspondence re breadth of privilege that may be asserted re Armstrong file; correspondence to S. Briner re discovery deficiencies; review documents produced by Fidelity; work on response to plaintiff's request for admissions; work on research re statutes cited therein
10/5/2011 John H. Kohler	0.2 Work on review of case file re attorney billing statements
10/6/2011 Steven D. Hall	6.7 Telephone conference with J. Summerville re subpoena served upon Armstrong law firm; review e-mail correspondence from J. Summerville re same; e-mail correspondence re breadth of privilege that may be asserted re Armstrong file; correspondence to S. Briner re discovery deficiencies; telephone conference with S. Briner re Armstrong subpoena; e-mail correspondence to S. Briner re revised discovery requests via subpoena; review documents produced by Fidelity; edit discovery responses; conference re same
10/6/2011 John H. Kohler	3.3 Legal research re federal law re attorney client privilege in insurance dispute
10/6/2011 Richard A. Wunderlich	0.4 Review notices to take depositions of various parties re records; e-mail correspondence re response to subpoenas
10/7/2011 John H. Kohler	0.4 Work on research re federal law re attorney client privilege in insurance dispute
10/7/2011 Steven D. Hall	2.7 Review documents produced by Fidelity; work on discovery responses; e-mail correspondence to B. Stegmann and J. Davis re same; telephone conference with J. Davis
10/10/2011 Steven D. Hall	2.6 Review documents produced by Fidelity and Sauerwein law firm; work on responses to plaintiff's requests for admissions, request for production of documents and interrogatories
10/10/2011 John H. Kohler	2.5 Work on research re federal law re attorney client privilege in insurance dispute
10/11/2011 Steven D. Hall	0.8 Telephone conference with B. Stegmann and J. Davis re discovery; work on discovery responses; review documents produced by Fidelity and the Sauerwein law firm
10/12/2011 Richard A. Wunderlich	0.5 Work on discovery responses
10/12/2011 Steven D. Hall	5.3 Telephone conference with B. Stegmann re discovery; work on responses to plaintiff's

requests for admissions, request for production of documents and interrogatories; conference re same; review documents produced by Fidelity and the Sauerwein law firm; work on research re discovery issues; correspondence to S. Briner re discovery issues; work on research re possible waiver of privilege when insurer co-mingles representation re coverage, including defense afforded under policy subject to reservation of rights

10/13/2011 Steven D. Hall	2.1 E-mail correspondence to S. Briner re depositions; revise correspondence re Fidelity's discovery deficiencies; review documents produced by Fidelity
10/17/2011 Steven D. Hall	0.9 E-mail correspondence to and from J. Zanola; conference re case status; research and revise correspondence to S. Briner re discovery; review documents
10/19/2011 Steven D. Hall	3.6 Edit and research correspondence to S. Briner re discovery issues; review documents; e-mail correspondence to and from J. Summerville re Armstrong law firm's compliance with Fidelity subpoena
10/21/2011 Richard A. Wunderlich	0.7 Work on discovery; review documents; review information from S. Briner re response
10/21/2011 Steven D. Hall	1.1 Telephone conference with S. Briner re expert designations and status of record subpoenas; work on memorandum to file re same; review correspondence from Armstrong law firm re documents slated for production
10/24/2011 Steven D. Hall	6.6 Review documents produced by Fidelity; review documents produced by Sauerwein law firm
10/24/2011 John H. Kohler	4.7 Research re necessity of expert testimony re claim for tortious interference with attorney-client relationship and other Captiva counterclaims
10/25/2011 John H. Kohler	0.2 Conference re necessity of expert testimony in claim for tortious interference with attorney-client relationship and other Captiva counterclaims
10/25/2011 Steven D. Hall	1.8 Review documents produced by plaintiff
10/26/2011 Steven D. Hall	4.2 E-mail correspondence to S. Briner re amendment of plaintiff's pleadings and documents produced by Lathrop and Gage; e-mail correspondence to J. Davis re case status; e-mail correspondence to B. Stegmann re documents slated for production; review documents; revise correspondence to S. Briner re discovery
10/26/2011 Richard A. Wunderlich	0.6 Correspondence to S. Briner re discovery issues; work on expert witness issues
10/27/2011 Steven D. Hall	3.4 Review and code documents produced by Fidelity; e-mail correspondence to and from S. Briner re discovery; conference re same; analyze interrogatory responses for deficiencies;

	create list of possible deponents detailing areas of knowledge
10/28/2011 Steven D. Hall	2.1 Review documents produced by plaintiff and Sauerwein law firm; work on list of potential deponents and identify documents relevant to each
10/31/2011 Steven D. Hall	1.1 Telephone conference with S. Briner re discovery concerns, possible protective order and pending amendment to pleadings; draft and file motion to extend deadlines for designation and deposition of experts
10/31/2011 Richard A. Wunderlich	0.5 Work on document review; telephone conference with S. Briner re documents and discovery issues; work on expert issues; telephone conference with potential expert witness
11/1/2011 Steven D. Hall	1.6 Review documents produced by client and by plaintiff
11/1/2011 Richard A. Wunderlich	0.2 Review order re expert disclosures
11/2/2011 Steven D. Hall	3.1 Review documents to be produced by Armstrong Law Firm pursuant to plaintiff's subpoena; prepare for conference with clients; draft list of persons to be deposed; review documents produced by Fidelity and Sauerwein law firm
11/2/2011 Bridget A. Walton	1.7 Prepare subpoena, notice of subpoena and related documents directed to custodian of records of The Stolar Partnership, LLP to obtain records; prepare correspondence directed to custodian of records of The Stolar Partnership, LLP; prepare correspondence to process server enclosing subpoena and related documents for service
11/2/2011 Richard A. Wunderlich	0.8 Review discovery responses and documents; work on list of people for deposition; work on subpoena to The Stolar Partnership; work on expert disclosure
11/3/2011 Richard A. Wunderlich	2.0 Conference with clients re strategy and discovery matters; work on discovery directed to Land Choice and Guaranty Title
11/3/2011 John H. Kohler	1.4 Legal research re potential expert witness; conference re recoverable damages for breach of title insurance
11/3/2011 Steven D. Hall	6.4 Conference with B. Stegmann, J. Barnes, D. Stegmann and J. Davis re case strategy; review documents to be produced by Armstrong Law Firm; draft documents in support of subpoena to LandChoice Title Co.; research re expert testimony needed to sustain claims; review documents
11/4/2011 Richard A. Wunderlich	1.1 E-mail correspondence with potential expert witness and contact with J. Uecker; telephone conference with J. Uecker; work on expert designations and issue re expert testimony; work on subpoena directed to Land Choice

11/4/2011 John H. Kohler	2.0 Review client documents; legal research re recoverable damages for breach of title insurance agreement
11/7/2011 Bridget A. Walton	0.1 Review affidavit of service verifying service of subpoena and related documents on custodian of records for The Stolar Partnership
11/7/2011 John H. Kohler	7.1 Legal research re recoverable damages for breach of title insurance agreement
11/8/2011 John H. Kohler	13.0 Research re distinction between recovery of damages for breach of title insurance agreement and recovery under title insurance agreement; research re recoverability of consequential and/or special damages re title insurance; research re difference in recovery re mortgagee/lender and owner title insurance; research re recovery of expenses; conference re same; research re potential expert witnesses
11/8/2011 Steven D. Hall	4.6 Research rule re expert disclosures; draft disclosure statement; telephone conference with J. Zanola and C. Lindquist re potential expert testimony; conference re need for expert testimony; review documents; research background of potential experts
11/8/2011 Richard A. Wunderlich	1.6 Review order re service of motion on M-Lake; work on expert disclosures; conference with J. White
11/9/2011 Richard A. Wunderlich	1.2 Work on expert report issues; telephone conference with C. Lindquist; review discovery status and responses from S. Briner; telephone conference with S. Briner
11/9/2011 Steven D. Hall	7.7 Review and prepare documents to be provided to potential experts; review documents produced by Lathrop & Gage; conference re expert witnesses; legal research re expert witnesses; e-mail correspondence to J. Davis re discovery issues; e-mail correspondence to client re conversations and proposals with potential experts; work re R. White expert report
11/9/2011 John H. Kohler	3.4 Draft memorandum re recoverable damages under Missouri law for breach of mortgagee title insurance contract; conference re same
11/10/2011 Steven D. Hall	3.4 Prepare for conference with R. White; conference with R. White re need for expert testimony; telephone conference with J. Uecker re need for expert testimony; work re expert report for J. Uecker; review documents
11/11/2011 Steven D. Hall	3.5 Telephone conference with J. Uecker re need for expert testimony; work re expert report for J. Uecker; telephone conference with plaintiff counsel M. Giles re discovery; e-mail correspondence re same; review documents; analyze potential that plaintiff is wrongfully withholding documents; review status of subpoena to LandChoice Title Company
11/12/2011 Steven D. Hall	0.2 Telephone conference with J. Uecker re expert

testimony

11/14/2011 Steven D. Hall	4.1 Work re J. Uecker expert witness report; telephone conference with C. Lindquist, J. Zonola, and J. Sheetz; e-mail correspondence to S. Briner re discovery issues; review documents and prepare documents for production
11/15/2011 Steven D. Hall	4.6 Telephone conferences with J. Uecker, J. Sheetz, R. White, C. Lindquist and J. Zonola re expert testimony; e-mail correspondence to C. Lindquist re report outline; draft memorandum to file re status of each potential expert's progress; telephone conference with M. Hodges re review of documents slated for production pursuant to S. Briner subpoena; review Armstrong documents
11/15/2011 Richard A. Wunderlich	0.8 Telephone conference with J. Uecker re expert opinion; work on expert matters
11/15/2011 John H. Kohler	1.0 Review Armstrong Teasdale subpoena documents re attorney-client privilege
11/16/2011 John H. Kohler	3.0 Review discovery documents re attorney-client privilege and potential relevance to claims or defenses
11/16/2011 Steven D. Hall	5.8 Prepare for conference with R. White; conference with R. White re expert testimony; review documents; telephone conference with B. Stegmann and D. Stegmann re discovery delays; telephone conference with C. Lindquist re expert testimony; work and research re R. White and J. Sheetz reports; revise timeline of key events; telephone conference with S. Briner; correspondence to client re conversation with S. Briner
11/17/2011 John H. Kohler	1.5 Review discovery documents re attorney-client privilege and potential relevance to claims or defenses
11/17/2011 Steven D. Hall	4.2 Telephone conference with C. Detring re subpoena; telephone conference with J. Uecker and R. White re expert report; web conference with C. Lindquist re expert report; review documents proposed by The Stolar Partnership; correspondence to client re same; draft expert disclosure
11/17/2011 Richard A. Wunderlich	1.6 Review documents produced by Stolar Partnership; e-mail correspondence with B. Stegmann; work on damage issues and expert reports
11/18/2011 Richard A. Wunderlich	2.6 Work re expert reports and disclosures; e-mail correspondence with S. Briner re outstanding discovery matters; telephone conference with S. Briner
11/18/2011 John H. Kohler	2.3 Review discovery documents re attorney-client privilege and potential relevance to claims or defenses
11/18/2011 Steven D. Hall	1.4 Telephone conference with J. Davis re case;

telephone conference and exchange
correspondence with S. Briner re discovery;
telephone conferences and exchange e-mail
correspondence with C. Lindquist, J. Uecker,
and J. Zanola; review expert reports

11/19/2011 Steven D. Hall	1.1 Telephone conference with C. Lindquist re expert report; review correspondence from S. Briner re discovery dispute; review report from J. Zanola
11/20/2011 Steven D. Hall	0.4 Review report from J. Zanola; review correspondence from S. Briner; e-mail correspondence to C. Lindquist re expert report
11/21/2011 Steven D. Hall	3.9 Telephone conference with R. White, J. Sheetz, J. Zanola re reports; review expert reports; draft expert designation statement; e-mail correspondence to S. Briner re expert designations; review plaintiff's motion to extend deadline for producing expert reports; review documents produced by PNC pursuant to Fidelity's subpoena
11/21/2011 John H. Kohler	2.3 Review discovery documents re attorney-client privilege and potential relevance to claims or defenses; research re prejudice under Federal Rule of Civil Procedure 26 re Fidelity's motion for extension of time re expert disclosure; conference re same
11/21/2011 Richard A. Wunderlich	2.5 Work on expert report disclosures; telephone conferences with J. Scheetz re damage issues; review plaintiff's motion to extend deadline for disclosure of expert report; work on opposition; telephone conference with S. Briner; review engagement letter from J. White; review damage information
11/22/2011 Richard A. Wunderlich	3.4 Work on discovery and deposition preparation; work on objection to extension of time for expert disclosure report by plaintiff; review correspondence and coverage denial issues; review documents
11/22/2011 John H. Kohler	1.4 Review discovery documents for correspondence from M. Dickhute or L. Perna
11/22/2011 Steven D. Hall	2.8 Draft and file opposition to plaintiff's motion to extend deadline for producing expert reports; review documents; e-mail correspondence to and from S. Briner re depositions of experts
11/23/2011 John H. Kohler	2.1 Review discovery documents re correspondence for attorney-client privileged documents, including documents re title insurance coverage
11/23/2011 Steven D. Hall	2.2 E-mail correspondence to and from expert witnesses re deposition schedule; review documents produced by Sauerwein law firm and Fidelity
11/24/2011 Steven D. Hall	1.3 Review documents produced by the Sauerwein Law Firm and Fidelity

11/26/2011 Steven D. Hall	2.1 Review documents produced by Sauerwein Law Firm and Fidelity
11/27/2011 Steven D. Hall	0.6 Review documents produced by Sauerwein Law Firm and Fidelity
11/28/2011 Steven D. Hall	4.2 Review documents subject to production by Armstrong Law Firm; telephone conference with C. Lindquist re pending deposition; conference re deposition schedule and outstanding discovery; review documents produced by Fidelity and Sauerwein Law Firm
11/28/2011 John H. Kohler	5.1 Review discovery documents for correspondence re attorney-client privileged documents, including documents re title insurance coverage; review discovery documents for correspondence from M. Dickhute
11/29/2011 John H. Kohler	3.6 Review discovery documents for correspondence from M. Dickhute; review documents re attorney client privilege and necessity of production; conferences re same
11/29/2011 Richard A. Wunderlich	2.1 Telephone conference with S. Briner re coverage and damage issues; work on discovery matters; review documents produced by Blanchard firm; review policy language and pleadings re issues raised by S. Briner; review motion to extend deadlines; work on opposition
11/29/2011 Steven D. Hall	3.3 Review documents pending production from Armstrong Law Firm; review billing records for Sauerwein Law Firm; review plaintiff's motion to continue trial setting and amend scheduling order; review plaintiff's reply in support of its motion to extend deadline for submission of expert reports
11/30/2011 Steven D. Hall	3.1 Review billing records and other documents from Sauerwein Law Firm; review plaintiff's motion to continue trial setting and amend scheduling order; draft response to same
12/1/2011 John H. Kohler	2.1 Review Armstrong Teasdale subpoena documents re attorney-client privileged documents
12/1/2011 Steven D. Hall	4.7 Review billing records and other documents from Sauerwein law firm; draft response to plaintiff's motion to continue trial setting and amend scheduling order; perform quality control check and review client documents subject to production to Fidelity; draft correspondence to S. Briner; prepare documents being produced; draft privilege log; conference re depositions of experts
12/1/2011 Richard A. Wunderlich	0.5 Work on opposition to motion to amend scheduling order; review documents
12/2/2011 Richard A. Wunderlich	0.9 Work on opposition to motion to extend trial date; review court order re amended scheduling deadlines; review billing records and documents
12/2/2011 Steven D. Hall	7.1 E-mail correspondence to J. Uecker, C. Lindquist and J. Zanola re expert depositions;

telephone conference with R. White re same; correspondence to J. Sheetz re reports created by J. Zanola and C. Lindquist; review and perform quality control check of documents to be produced by Armstrong law firm; e-mail correspondence to J. Summerville re same; e-mail correspondence to M. Giles re LandChoice document production; review court order denying plaintiff's motions for deadline extensions; e-mail correspondence to and from client re same; review documents produced by Sauerwein law firm and Fidelity

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| 12/2/2011 John H. Kohler | 1.5 Review Armstrong Teasdale subpoena documents re attorney-client privileged documents; e-mail correspondence re same |
| 12/5/2011 Steven D. Hall | 5.4 E-mail correspondence to J. Uecker, C. Lindquist and J. Zanola re expert depositions; e-mail correspondence to J. Davis re expert and outstanding discovery issues; review documents produced by Stolar Partnership; review documents produced by Sauerwein law firm and Fidelity |
| 12/6/2011 Steven D. Hall | 4.8 Telephone conferences with D. Stegmann re discovery and expert testimony; review e-mail correspondence from M. Ottsen and B. Stegmann; e-mail correspondence to S. Briner re promised documents; review underwriting policies; review documents produced by Sauerwein law firm and Fidelity |
| 12/6/2011 John H. Kohler | 2.2 Review Sauerwein, Simon and Blanchard billing records re improper correspondence with Fidelity National Title Group or Stolar Partnership |
| 12/7/2011 John H. Kohler | 2.7 Compile Sauerwein, Simon and Blanchard billing records and improper correspondence entries; compile M. Dickhute documents |
| 12/8/2011 Steven D. Hall | 5.3 Telephone conferences with D. Stegmann re discovery and expert testimony; telephone conference with M. Ottsen re possible testimony; e-mail correspondence to Ottsen and M. Lang re being witness at trial; review documents produced by Sauerwein law firm and Fidelity; research distinction between retained and non-retained expert witnesses when witness is compensated; e-mail correspondence to and from S. Briner re outstanding discovery; draft supplemental disclosure of expert witnesses; prepare proposed schedule for deposition of experts; review billing records of Sauerwein law firm that evidence tasks and communications showing a potential conflict of interest |
| 12/8/2011 John H. Kohler | 2.8 Compile M. Dickhute documents; compile Sauerwein, Simon and Blanchard billing records, including improper correspondence entries |
| 12/8/2011 Richard A. Wunderlich | 1.7 Work on discovery disclosure matters; review documents; e-mail correspondence with B. Stegmann |

12/9/2011 Richard A. Wunderlich	1.8 E-mail correspondence with B. Stegmann; review documents; work on expert disclosures; review documents production issues; telephone conference with S. Briner re discovery and settlement issues
12/9/2011 Steven D. Hall	4.5 Edit and distribute supplement expert disclosures; draft correspondence to S. Briner and M. Giles re same; telephone conference with M. Lang re expert designation; review plaintiff's expert report; review documents produced by LandChoice Company and Stolar Partnership; draft supplemental Rule 26 disclosures
12/12/2011 Steven D. Hall	0.5 E-mail correspondence to S. Briner re scheduling expert depositions; telephone conference with S. Briner re discovery
12/12/2011 John H. Kohler	2.3 Compile Sauerwein, Simon and Blanchard billing records, including improper correspondence entries
12/13/2011 Richard A. Wunderlich	2.5 Review documents produced by Lawyers Title; conference with clients re strategy and damage issues
12/13/2011 Steven D. Hall	0.8 Telephone conference with D. Stegmann re discovery issues; conference re same; e-mail correspondence to M. Ottsen and J. Zanola re depositions; follow up re discovery disputes with S. Briner
12/14/2011 John H. Kohler	0.5 Review contract re limitations on extent of Fidelity's liability; e-mail correspondence re same; conferences re same
12/14/2011 Steven D. Hall	3.2 Analyze disclosures made related to damages; review document production to ensure relevant documents were produced related to damages; draft supplemental Rule 26 disclosures; research Grau lien litigation; draft scheduling table for depositions of expert witnesses; review e-mail correspondence from S. Briner re same; research rules re exceeding number of depositions allowed by scheduling order
12/15/2011 John H. Kohler	0.6 Conference re damages recoverable under title insurance policy
12/15/2011 Steven D. Hall	1.7 Research re measure of damages available under counterclaim; conference re same; e-mail correspondence to J. Barnes re same; review underwriting policies obtained from Fidelity
12/15/2011 Richard A. Wunderlich	2.3 Work on damage issues and claim; e-mail correspondence with B. Stegmann and J. Barnes; review case law re damage claims; review client documents and information re foreclosure sale; review expert analysis; work on expert issues
12/16/2011 Steven D. Hall	3.6 Review billing and other records produced by Fidelity; prepare document set for entry into Summation; draft supplemental Rule 26 disclosures

12/19/2011 Richard A. Wunderlich	1.3 E-mail correspondence with S. Briner re expert discovery; telephone conference with S. Briner re discovery matters and production of documents; review documents; review client information and documents
12/19/2011 Steven D. Hall	0.2 Review correspondence from S. Briner re scheduling of depositions; e-mail correspondence to and from M. Lang re deposition
12/20/2011 Steven D. Hall	3.4 Correspondence to S. Briner re inadequate designation of C. Detring; e-mail correspondence to Captiva's experts re pending depositions; work on scheduling depositions; draft notices of deposition; e-mail correspondence to and from plaintiff's counsel re scheduling expert depositions; review documents
12/20/2011 Richard A. Wunderlich	0.7 E-mail correspondence with J. Barnes re damage issues; work on damage claim; review client documents and expert information
12/21/2011 John H. Kohler	1.2 Research re ability of agent of corporate party to lawsuit to testify re value of property at dispute
12/21/2011 Richard A. Wunderlich	1.7 Conference with J. Barnes re expert issues and damage issues; work on damage issues and prepare for expert depositions
12/21/2011 Steven D. Hall	2.9 Draft supplemental Rule 26 disclosures; e-mail correspondence to expert witnesses re upcoming depositions; research re damages; research re testimony owner of property may provide re the property; telephone conference with J. Davis re case; e-mail correspondence to and from S. Briner re discovery and depositions; review documents
12/22/2011 Steven D. Hall	4.6 Review Fidelity's motion for additional depositions and for judgment on the pleadings re Captiva's tortious interference claim; review authorities cited therein; conference re same; e-mail correspondence to S. Briner re response to judgment on pleadings; research testimony property owner may provide re property value; research damages lender may recover after lender forecloses on property from title insurer
12/22/2011 John H. Kohler	4.1 Research re ability of agent of corporate party to suit to testify as to value of property at dispute; draft memorandum re same; conference re same
12/23/2011 Steven D. Hall	4.8 Review file to determine extensions of time sought; review correspondence from S. Briner re briefing of judgment of pleadings motion; research and draft memorandum in response to judgment on pleadings motion; review e-mail correspondence re Fidelity's professed need to depose underlying lien claimants; review documents produced by LandChoice; e-mail correspondence to expert witnesses

12/23/2011 Richard A. Wunderlich	2.4 Work on memorandum in opposition to motion for judgment on pleading; telephone conference with S. Briner re motion to expand deposition limits; review information from S. Briner re potential modification and depositions by written discovery; review documents and information re damages; work on revision to Rule 26 disclosures
12/24/2011 Steven D. Hall	3.6 Research and draft memorandum in opposition to Fidelity's motion for judgment on the pleadings re Captiva's tortious interference claim; research basis for objection to Fidelity's stated intent concerning discovery; research exclusivity of contract remedy when breach constitutes tortious activity
12/25/2011 Steven D. Hall	5.1 Research and draft memorandum in opposition to Fidelity's motion for judgment on the pleadings re Captiva's tortious interference claim; review interrogatories Fidelity intends to serve upon underlying lien claimants
12/26/2011 Steven D. Hall	2.8 Draft and edit memorandum in opposition to Fidelity's motion for judgment on the pleadings re Captiva's tortious interference claim; review circumstances under scheduling order in which pleadings may be amended
12/27/2011 John H. Kohler	0.2 Conference re document production
12/27/2011 Steven D. Hall	6.4 Edit memorandum in opposition to Fidelity's motion for judgment on pleadings on Captiva's tortious interference claim; review attachments to counterclaim; research applicability of law of case doctrine; draft insert for memorandum in opposition re law of case; analyze arguments voiced by S. Briner re Fidelity's need to depose e underlying lien claimants
12/27/2011 Richard A. Wunderlich	2.2 Work on memorandum in opposition to motion for judgment on the pleadings; work on response to request to expand deposition limit; telephone conference with S. Briner re proposal to resolve part of dispute re discovery issues; work on damage issues
12/28/2011 Richard A. Wunderlich	0.6 Work on response to modify pre-trial order; telephone conference with S. Briner; review documents produced by Fidelity
12/28/2011 Steven D. Hall	3.7 Research, draft and file response in opposition to Fidelity's motion to exceed ten-deposition limit; telephone conference with J. Barnes re policy issues; telephone conference with S. Briner re depositions and pending motions; analyze need to depose underlying lien claimants; review documents
12/28/2011 John H. Kohler	1.0 Review discovery documents; review pending disbursement endorsements
12/29/2011 John H. Kohler	1.2 Review Sauerwein subpoena documents

12/29/2011 Steven D. Hall	0.8 Telephone conference with S. Briner re depositions and supplemental disclosures; review documents
12/30/2011 Steven D. Hall	0.3 E-mail correspondence with S. Briner re subpoena served on Armstrong law firm and other discovery matters; telephone conference with R. White re postponed deposition; e-mail correspondence to J. Uecker re case
1/1/2012 Steven D. Hall	0.4 Review documents; e-mail correspondence to S. Brinner and J. Summerville re Armstrong subpoena
1/3/2012 Steven D. Hall	1.0 E-mail correspondence with S. Briner re depositions; draft e-mail correspondence to client re plaintiff's motion for judgment on pleadings; draft supplemental Rule 26 disclosures
1/3/2012 Richard A. Wunderlich	0.3 Review memorandum in reply filed by Fidelity in support of motion for judgment on the pleadings
1/4/2012 Richard A. Wunderlich	0.5 Work on expert issues and preparation for depositions of experts; e-mail correspondence with S. Briner
1/4/2012 John H. Kohler	4.5 Conference re expert witness schedules and compilation of Lang, Wiedenmann and Watts correspondence; compile and organize correspondence to and from M. Lang, K. Watts, and K. Wiedenmann; compile and organize documents for deposition of M. Lang
1/4/2012 Steven D. Hall	3.1 E-mail correspondence with S. Briner and designated experts re depositions; review documents associated with M. Lang in preparing for deposition; review documents; draft correspondence to W. Sauerwein re deposition and subpoena obligation continuing; review reply briefs in support of plaintiff's motions to depose underlying lien claimants and for judgment on pleadings and authorities cited therein; conference with client re same
1/5/2012 John H. Kohler	6.0 Review K. Watts, K. Wiedenmann correspondence for relevance; compile potentially relevant correspondence for further review
1/5/2012 Steven D. Hall	3.0 Review documents produced by Lathrop and Gage in response to Fidelity's subpoena and others; telephone conference with M. Ottsen re deposition; exchange e-mail correspondence with S. Briner re depositions; compare Sauerwein billing records with Fidelity's billing records; exchange e-mail correspondence with various witnesses in anticipation of depositions
1/5/2012 Richard A. Wunderlich	1.5 Telephone conference with J. Davis, D. Stegmann and B. Stegmann; telephone conference with M. Ottsen re expert testimony; work on discovery; review notice to take deposition of M. Lang; telephone conference with J. Barnes re damage issues

1/6/2012 Richard A. Wunderlich	1.5 Attend and defend deposition of M. Ottsen
1/6/2012 Steven D. Hall	2.9 E-mail correspondence with W. Sauerwein and S. Brinner re depositions of witnesses associated with Sauerwein law firm; e-mail correspondence with W. Alper-Pressman, J. Zanola, K. Watts, K. Wiedenmann and M. Lang depositions and conference re same and other deposition scheduling matters; revise supplemental Rule 26 disclosures
1/6/2012 John H. Kohler	3.1 Review K. Watts, K. Wiedenmann correspondence for relevance; compile potentially relevant correspondence for further review
1/9/2012 John H. Kohler	0.3 Review K. Watts, K. Wiedenmann correspondence for relevance; compile potentially relevant correspondence for further review
1/9/2012 John H. Kohler	3.0 Review and compile B. Simpson correspondence re Captiva's review of case file; review and compile W. Alper-Pressman correspondence re National City Bank intending mechanic lien coverage
1/9/2012 Steven D. Hall	0.3 Review correspondence from C. Horton and M. Lang re to concerns over deposition of M. Lang and the materials requested by the subpoena; respond to concerns expressed by J. Zanola re this deposition and the accompanying subpoena for documents
1/10/2012 John H. Kohler	1.9 Review and compile W. Alper-Pressman correspondence re National City Bank intending mechanic lien coverage
1/10/2012 Steven D. Hall	0.5 E-mail correspondence with M. Lang and C. Horton re deposition and production of documents; telephone conference with C. Horton re same; memorandum of understanding re custody of C. Horton documents; e-mail correspondence with S. Briner re K. Watts and K. Weidenmann depositions
1/10/2012 Richard A. Wunderlich	0.4 Telephone conference with attorney for M. Lang and with S. Briner re receivership documents and subpoena served in connection with M. Lang's deposition
1/11/2012 Steven D. Hall	0.5 Telephone conference with J. Zanola re deposition; e-mail correspondence with M. Lang re deposition preparation; review changes to memorandum of understanding from C. Horton in treatment of M. Lang receivership documents
1/12/2012 Steven D. Hall	0.1 E-mail correspondence to and from S. Briner re M. Lang documents and accompanying memorandum of understanding
1/12/2012 Richard A. Wunderlich	1.5 Work on agreement re Lang documents; prepare for deposition of experts
1/13/2012 Steven D. Hall	2.7 Prepare for and participate in telephone conference with M. Lang re depositions; telephone conference with J. Davis re documents

	and damages; prepare for and participate in conference with C. Lindquist re deposition; conference re litigation strategy; review C. Lindquist documents; e-mail correspondence to and from S. Briner re depositions
1/13/2012 John H. Kohler	0.2 Conference re document review in preparation for depositions
1/13/2012 Kristen A. Noll	1.0 Prepare subpoena to M. Blanchard
1/13/2012 Richard A. Wunderlich	1.9 Telephone conference with M. Lang re deposition preparation; telephone conference with J. Davis re document review and damage issues; review expert information from C. Lindquist; conference with C. Lindquist and clients re expert deposition
1/16/2012 Richard A. Wunderlich	8.0 Conference with C. Lindquist re deposition; attend and defend deposition of C. Lindquist; conference with J. Zanola re expert testimony; attend and defend deposition; conference with B. Stegmann
1/16/2012 Steven D. Hall	0.7 Conference with J. Zanola and C. Lindquist re depositions; e-mail correspondence to and from M. Lang and S. Briner re M. Lang deposition; telephone conference with M. Lang and S. Briner re same; review documents received from client and documents from J. Zanola
1/17/2012 Steven D. Hall	2.2 Conference re preparation for M. Lang and W. Alper-Presman depositions; review and revise subpoena to M. Blanchard; review and revise notice of depositions to B. Simpson and T. Bond; review documents produced by Armstrong Teasdale and Lathrop & Gage
1/17/2012 Richard A. Wunderlich	6.0 Prepare for deposition of M. Lang; conference with M. Lang; attend deposition of M. Lang
1/17/2012 Kristen A. Noll	0.5 Revise subpoena, notice of deposition and exhibit A to M. Blanchard
1/18/2012 Kristen A. Noll	2.0 Search for residential location of K. Watts; prepare subpoenas and notices of deposition to K. Watts and K. Wiedenman; prepare correspondence to K. Watts and K. Wiedenman re scheduling of depositions
1/18/2012 Richard A. Wunderlich	2.7 Attend deposition of W. Alper-Presman; conference with J. Davis; conference with J. Barnes
1/18/2012 Steven D. Hall	2.0 Research re closing documents and title insurance obtained by owners of Unit 9-D; conference re litigation strategy; review documents produced by Armstrong Teasdale and Lathrop & Gage; prepare primary documents for deposition of T. Bond; research re address for subpoena service upon M. Blanchard; draft exhibit to subpoenas directed to former employees of LandChoice title re documents required
1/19/2012 Kristen A. Noll	0.4 Revise subpoenas and notices of deposition to

	K. Watts and K. Wiedenman; prepare correspondence to K. Watts and K. Wiedenman re scheduling of depositions
1/19/2012 Steven D. Hall	0.7 Research re closing documents and title insurance obtained by owners of Unit 9-D
1/23/2012 Steven D. Hall	0.6 Telephone conference with client re lien adjudication hearing; review documents and e-mail correspondence from C. Lindquist; conference re client discovery issues
1/24/2012 Steven D. Hall	0.9 E-mail correspondence to J. Davis re concerns and questions; e-mail correspondence to S. Briner and J. Zanola re discovery issues; review documents in preparation for depositions
1/25/2012 Steven D. Hall	0.5 Review documents produced by J. Zanola and C. Lindquist; e-mail correspondence to S. Briner re memorandum of understanding in handling M. Lang documents; correspondence to C. Horton re attorney-client issues
1/25/2012 Kristen A. Noll	0.1 E-mail correspondence re status of service of subpoena on K. Weidenman
1/25/2012 Richard A. Wunderlich	3.0 E-mail correspondence with clients re status of underlying litigation; telephone conference with J. Davis; review information and orders; review documents re depositions of Sauerwein attorneys; review supplemental documents produced by Fidelity
1/26/2012 Steven D. Hall	0.4 Prepare materials for T. Bond deposition; review documents received from M. Lang
1/26/2012 John H. Kohler	3.7 Conference re document review in preparation for depositions; review T. Bond correspondence re deposition of T. Bond
1/27/2012 John H. Kohler	4.0 Review T. Bond correspondence re deposition of T. Bond; prepare binder re same; review case file
1/27/2012 Steven D. Hall	0.4 Review materials for use at depositions of T. Bond and W. Simpson; e-mail correspondence to J. Zanola re trial testimony; telephone conference with M. Blanchard re deposition; telephone conference with M. Giles re review of M. Lang documents
1/30/2012 Steven D. Hall	0.3 Conference with M. Giles re M. Lang documents; e-mail correspondence to S. Briner re same; telephone conference with M. Blanchard re deposition
1/30/2012 John H. Kohler	6.0 Review M. Blanchard correspondence re deposition of M. Blanchard
1/31/2012 John H. Kohler	7.9 Review M. Blanchard correspondence re deposition of M. Blanchard; prepare binders re upcoming depositions; compile status letters; compile Dickhute formal correspondence with Captiva and Captiva's attorneys; compile billing records

1/31/2012 Steven D. Hall	0.2 Telephone conference with A. Hardwick re subpoena served upon K. Wiedenmann; conference re depositions and discovery
1/31/2012 Richard A. Wunderlich	6.0 Conference with D. Stegmann and J. Davis; prepare for depositions of B. Simpson and T. Bond; prepare for depositions of W. Simpson and T. Bond; review documents and information
2/1/2012 Steven D. Hall	3.5 Review and prepare documents for M. Blanchard deposition; telephone conference with A. Hardwick re K. Wiedenman deposition; telephone conference with M. Blanchard re deposition; conference re electronic processing of documents received via subpoena and placement in database
2/1/2012 Richard A. Wunderlich	7.0 Prepare for depositions of W. Simpson and T. Bond; attend and take depositions of W. Simpson and T. Bond; conference with client
2/1/2012 John H. Kohler	6.8 Review M. Blanchard correspondence re deposition of M. Blanchard; prepare binders re upcoming depositions
2/2/2012 John H. Kohler	8.4 Review M. Blanchard correspondence re deposition of M. Blanchard; prepare index of relevant correspondence re same; prepare binder re same; review Sauerwein document production re October 1, 2009 Perna/Barnes engagement letter; review W. Sauerwein and S. Holdener correspondence; compile relevant documents from same
2/2/2012 Richard A. Wunderlich	2.0 Review documents re preparation for deposition of M. Blanchard; telephone conference with clients
2/2/2012 Steven D. Hall	3.8 Conference re upcoming depositions and development of key themes in the litigation; prepare master collection of documents arranged by key themes of the litigation; review Questec documents; telephone conferences with K. Watts and A. Hardwick re depositions
2/3/2012 John H. Kohler	7.5 Review W. Sauerwein, S. Holdener and L. Perna correspondence; select and compile relevant documents from same; prepare binders re same for pending depositions; review Sauerwein correspondence re October 1, 2009 Perna/Barnes engagement letter
2/3/2012 Steven D. Hall	3.1 Analyze documents re scope of Sauerwein law firm's representation of Captiva; review documents re same; draft amended deposition notices for K. Weidenman and K. Watts; e-mail correspondence to and from S. Briner re same and re other discovery issues; prepare materials for use at M. Blanchard deposition
2/3/2012 Richard A. Wunderlich	2.0 Review documents re L. Perna and M. Dickhute; work on discovery scheduling matters; telephone conference with S. Briner
2/4/2012 John H. Kohler	1.0 Review W. Sauerwein, S. Holdener and L. Perna

	correspondence; select and compile relevant documents from same; prepare binders re same for pending depositions
2/5/2012 John H. Kohler	2.0 Review W. Sauerwein, S. Holdener and L. Perna correspondence; compile relevant documents from same; prepare binders re same for pending depositions
2/6/2012 John H. Kohler	3.9 Review W. Sauerwein, S. Holdener and L. Perna correspondence; compile relevant documents from same; prepare binders re same for pending depositions; review documents produced by Sauerwein law firm at T. Bond deposition
2/6/2012 Steven D. Hall	1.6 Prepare materials for depositions of M. Blanchard, L. Perna and persons associated with LandChoice Title Company; conference re same and re contents of documents recently produced by Fidelity; e-mail correspondence to and from S. Briner re M. Blanchard deposition; review Questec materials to document work deficiencies the Sauerwein law firm failed to capitalize on
2/7/2012 Steven D. Hall	0.4 Review materials re Butler Supply lien; prepare materials for deposition of K. Watts and K. Weidenman
2/7/2012 John H. Kohler	2.6 Conference re L. Perna and W. Sauerwein binders; review file to clarify reference to pleadings in October, 2009 letter from Perna to Barnes; review file for Perna, Barnes, Chalfant and Tompkins correspondence re same; locate and produce most recent petitions in Kidwell and Grau cases
2/8/2012 John H. Kohler	0.3 Review documents produced at T. Bond deposition
2/8/2012 Steven D. Hall	1.6 Review Questec materials to document work deficiencies the Sauerwein law firm failed to capitalize on; e-mail correspondence to and from C. Lindquist re deposition
2/9/2012 Steven D. Hall	0.6 Review documents recently produced by plaintiff and designate documents to load into Summation database; review materials for use at depositions of persons associated with LandChoice Title Company; research documents re K. Meyer
2/9/2012 Richard A. Wunderlich	2.1 Review documents and prepare for deposition of M. Blanchard and M. Dickhute; review information re expert opinion; review information from J. Barnes
2/10/2012 John H. Kohler	0.1 Review documents produced at T. Bond deposition
2/10/2012 Steven D. Hall	0.3 E-mail correspondence to S. Briner and C. Lindquist re discovery
2/13/2012 Steven D. Hall	0.4 Conference re discovery; exchange e-mail correspondence with S. Briner and J. Davis re discovery issues; draft Rule 30(6)(b) requests

2/14/2012 Steven D. Hall	2.2 Exchange e-mail correspondence with S. Briner re depositions; review documents recently produced by Fidelity
2/15/2012 Steven D. Hall	1.3 Telephone conferences with D. Stegmann re depositions; draft notice of deposition and topics for examination for Fidelity's 30(b)(6) designee; exchange e-mail correspondence with S. Briner re depositions
2/16/2012 Steven D. Hall	1.5 E-mail correspondence to and from client and S. Briner re scheduling depositions; prepare materials for K. Myer depositions
2/17/2012 Steven D. Hall	1.2 Review produced documents; prepare documents for production; prepare notice of deposition and materials for use at deposition of plaintiff's 30(b)(6) representative; e-mail correspondence to and from S. Briner and client re depositions
2/20/2012 Steven D. Hall	1.1 Review correspondence from G. Dawley; prepare materials for use at M. Blanchard and K. Meyer depositions
2/21/2012 Steven D. Hall	2.2 Telephone conferences with D. Stegmann and B. Stegmann re case strategy; prepare and review materials for M. Blanchard deposition; draft correspondence to S. Briner re document production
2/21/2012 Richard A. Wunderlich	4.7 Prepare for deposition of M. Blanchard; review documents
2/22/2012 Steven D. Hall	2.1 Prepare materials for M. Blanchard deposition; draft Rule 30(b)(6) notice of deposition; edit topics for 30(b)(6) deposition; draft notices of deposition for C. Detring, B. Nielsen, L. Perna and M. Dickhute; review documents produced by LandChoice for using in upcoming depositions of LandChoice employees; e-mail correspondence to S. Briner and J. Zepp re discovery; conference re depositions
2/22/2012 John H. Kohler	2.1 Review and revise Blanchard binder for upcoming deposition; review and revise K. Watts binder for upcoming deposition `
2/22/2012 Richard A. Wunderlich	3.5 Prepare for deposition of M. Blanchard; work on discovery and scheduling matters; review client information
2/23/2012 Richard A. Wunderlich	7.6 Attend and take deposition of M. Blanchard; conference with B. Stegmann
2/23/2012 Steven D. Hall	9.0 Prepare for and participate in M. Blanchard deposition; prepare materials for deposition of K. Meyers; conference with S. Briner re discovery
2/23/2012 John H. Kohler	7.9 Revise K. Wiedenmann and K. Watts binders for depositions; compile documents re same; assist with document location during M. Blanchard deposition `

2/24/2012 John H. Kohler	1.5 Revise K. Wiedenman and K. Watts binders for upcoming depositions; compile documents for K. Meyer binder for upcoming deposition; compile Majestic Point real estate appraisals
2/24/2012 Steven D. Hall	4.1 Prepare for M. Dickhute, K. Watts and K. Wiedenmann depositions; review M. Lang documents and produce to plaintiff; review Questec materials; draft outline/memorandum to file re M. Blanchard deposition; prepare deposition notice for M. Dickhute
2/27/2012 Steven D. Hall	2.6 Draft proposal for the order of pending depositions; review recently produced documents from Fidelity; analyze billing entries from the Sauerwein law firm; review C. Lindquist deposition transcript
2/27/2012 Richard A. Wunderlich	0.3 E-mail correspondence with S. Briner re scheduling and depositions
2/28/2012 Steven D. Hall	2.1 Review deposition transcripts of J. Zanola, C. Lindquist and M. Lang; review Rule 26 disclosure to ensure completeness; prepare materials for use at depositions of LandChoice employees
2/29/2012 Steven D. Hall	2.3 Review deposition transcripts of J. Zanola, C. Lindquist and M. Lang; draft e-mail correspondence to S. Briner re discovery issues; prepare materials for M. Dickhute deposition;
3/1/2012 John H. Kohler	1.9 Revise K. Wiedenman and K. Watts binders for upcoming depositions`
3/1/2012 Steven D. Hall	3.8 Prepare and select materials for use at depositions of K. Watts and K. Wiedenman; e-mail correspondence to and from S. Briner re remaining discovery; review plaintiff's revised Rule 26(a) disclosures; review T. Bond and W. Simpson deposition transcripts
3/2/2012 Steven D. Hall	4.2 E-mail correspondence to S. Briner re remaining discovery; e-mail correspondence to clients re discovery issues; review S. Dallman deposition transcript re underlying mechanic lien litigation; research documents obtained re conditions imposed by lender re mechanic lien coverage
3/5/2012 Richard A. Wunderlich	1.3 Telephone conference with J. Davis re trial of mechanic lien issues and possible settlement discussions; prepare depositions of Land Choice representatives
3/5/2012 Steven D. Hall	2.3 E-mail correspondence to S. Briner re depositions; telephone conference with S. Briner re same; telephone conferences with A. Hardwick counsel for K. Wiedenman and K. Watts re depositions; e-mail correspondence to client re depositions; draft supplemental Rule 26 disclosures
3/5/2012 John H. Kohler	0.7 Conference re upcoming Watts and Wiedenman depositions; revise binders re same`

3/6/2012 Steven D. Hall	4.4 Review correspondence re adjudication of mechanic lien cases; review underwriting policies; prepare deposition outline for witnesses associated with LandChoice LLC
3/6/2012 Richard A. Wunderlich	0.3 Telephone conference with B. Stegmann re lien litigation issues; work on scheduling issues and documents issues re underwriting policies
3/7/2012 Steven D. Hall	2.2 Review editions of underwriting policy manuals in preparing for trial and depositions of LandChoice employees; review correspondence from S. Briner re discovery and depositions; revise deposition schedule memorandum
3/7/2012 John H. Kohler	0.5 Review Fidelity discovery documents for underwriting-related instructions or manuals; compile same`
3/7/2012 Richard A. Wunderlich	0.5 Telephone conference with J. Davis re issues and information from W. Alper-Pressman and P. Purcelli; telephone conference with P. Purcelli
3/8/2012 John H. Kohler	1.2 Review discovery documents re K. Meyer's responsibilities and potential deposition topics`
3/8/2012 Steven D. Hall	3.3 Analyze underwriting policies; telephone conference with J. Davis re depositions
3/9/2012 Steven D. Hall	5.0 Telephone conference with client and W. Alper-Pressman re K. Meyer and other discovery issues; review correspondence from S. Briner re discovery; draft correspondence to S. Briner re depositions, disclosures and document production issues; revise supplemental disclosures; review notice of deposition for client; e-mail correspondence to client re same; analyze underwriting policies
3/9/2012 Richard A. Wunderlich	2.5 Telephone conference with clients re deposition of K. Meyer and status of discovery matters; telephone conference with W. Alper-Pressman re loan issues; work on discovery matters
3/9/2012 John H. Kohler	0.7 Review discovery documents for documents relating to EDM; conference re upcoming Meyer deposition
3/12/2012 Steven D. Hall	2.4 Review documents received from S. Briner pursuant to subpoenas
3/13/2012 Steven D. Hall	3.9 Review exhibits used during depositions to ensure completeness; review notices of deposition received from plaintiff; revise timeline of key events; review correspondence between title company and lender in preparation for depositions
3/13/2012 John H. Kohler	1.5 Compare documents recently produced by Fidelity to documents previously produced; review documents re relevant Landchoice documents

3/14/2012 Steven D. Hall	2.2 E-mail correspondence to J. Uecker re deposition and key documents; analyze agreements between lender and title company; review title insurance policy guidelines
3/16/2012 Steven D. Hall	0.5 Correspondence with potential witnesses
3/16/2012 John H. Kohler	0.5 Review recent documents produced by Fidelity
3/19/2012 John H. Kohler	1.2 Review documents recently produced by Fidelity
3/19/2012 Steven D. Hall	4.3 Work on deposition schedules; review correspondence from S. Briner re discovery
3/20/2012 Steven D. Hall	1.8 Work on scheduling depositions; review correspondence from L. McArthur re subpoenas and notices of depositions
3/21/2012 Richard A. Wunderlich	1.2 Work on discovery; prepare for deposition of M. Dickhute; review information and discovery from plaintiff; review proposed protective order
3/22/2012 Richard A. Wunderlich	0.3 E-mail correspondence with B. Stegmann re Fidelity litigation with Land Choice; telephone conference with B. Stegmann; review case.net re litigation
3/22/2012 Steven D. Hall	0.6 Research cases wherein Landchoice is involved in litigation potentially related to Captiva matter
3/23/2012 Steven D. Hall	1.4 Research cases where Landchoice is party to litigation potentially related to Captiva matter; telephone conference with client; e-mail correspondence to and from client; review correspondence and notices of deposition from plaintiff's counsel
3/26/2012 Steven D. Hall	0.2 Telephone conference with K. Watts re deposition
3/27/2012 Steven D. Hall	0.7 Review documents obtained via subpoena
3/28/2012 Steven D. Hall	2.2 Review plaintiff's proposed protective order and analyze need for it; review records in preparing supporting documentation for M. Dickhute deposition
3/29/2012 Richard A. Wunderlich	0.7 Work on discovery matters; prepare for deposition of M. Dickhute; telephone conference with J. Davis re discovery issues
3/29/2012 Steven D. Hall	1.6 Telephone conferences with W. Alper-Pressman re PNC subpoena and B. Stegmann re case; correspondence to S. Briner re scheduling of each remaining deposition, concerns re depositions, proposed protective order, and demand for outstanding documents; e-mail correspondence re pending depositions
3/29/2012 John H. Kohler	2.0 Compile documents in preparation for M. Dickhute deposition
3/30/2012 Steven D. Hall	3.5 Review M. Blanchard deposition transcript; telephone conference with J. Barnes re level

	of confidentiality ascribed to claims handling materials; telephone conference with client re case; e-mail correspondence to and from S. Briner re M. Dickhute deposition and claims handling materials
3/31/2012 Steven D. Hall	1.2 Review materials and correspondence from B. Stegmann; prepare for M. Dickhute deposition
4/2/2012 Steven D. Hall	2.3 Review materials re M. Dickhute; prepare deposition outline; review e-mail correspondence from C. Horton re M. Lang documents
4/3/2012 Richard A. Wunderlich	1.7 Conference with clients re issues and deposition of M. Dickhute; review correspondence re deposition of M. Dickhute
4/3/2012 John H. Kohler	2.8 Compile documents in preparation for M. Dickhute deposition
4/3/2012 Steven D. Hall	3.3 E-mail correspondence to and from S. Briner re discovery issues and M. Dickhute; conference re same; review materials for M. Dickhute deposition; prepare outline for M. Dickhute deposition
4/4/2012 Steven D. Hall	5.6 Research procedure for obtaining subpoena re third-party witness, M. Dickhute, to appear for deposition in Omaha, Nebraska; e-mail correspondence to and from S. Briner re M. Dickhute and re professed need for protective order re plaintiff's claims handling materials; research background information re M. Dickhute; prepare deposition outline re M. Dickhute
4/4/2012 John H. Kohler	0.5 Compile documents in preparation for M. Dickhute deposition
4/5/2012 John H. Kohler	1.7 Compile documents in preparation for M. Dickhute deposition
4/5/2012 Steven D. Hall	3.0 Prepare materials and outline for M. Dickhute deposition; review M. Blanchard deposition transcript; draft motion to compel production of claims handling materials
4/10/2012 Steven D. Hall	5.6 Review plaintiff's motion to extend discovery deadline; draft motion to compel production of plaintiff's claims handling materials free of protective order; e-mail correspondence to and from S. Briner re discovery; draft exhibit to M. Dickhute deposition subpoena re topics for testimony; review materials from client re K. Wiedenmann deposition
4/11/2012 Steven D. Hall	4.4 Draft motion to compel; telephone conference with S. Briner re claims handling materials; e-mail correspondence from S. Briner re protective order issue; review subpoena to M. Dickhute; research history re defendant's request for plaintiff's claims handling materials; prepare correspondence proposing conference with plaintiff's counsel prior to filing motion to compel

4/11/2012 Bridget A. Walton	1.5 Prepare subpoena for deposition of M. Dickhute; correspondence to M. Dickhute enclosing subpoena for deposition; work on arrangements for deposition of M. Dickhute near Omaha, Nebraska; locate process server in Omaha, Nebraska; prepare correspondence to process server enclosing documents for service on M. Dickhute
4/11/2012 Richard A. Wunderlich	1.5 E-mail correspondence with S. Briner re claim handling manual; work on discovery issues; e-mail correspondence with clients re discovery; work on scheduling deposition of M. Dickhute; telephone conference with attorney for M. Dickhute
4/12/2012 Richard A. Wunderlich	1.3 Telephone conferences with S. Briner re protective order and production of claims handling manual; e-mail correspondence with client; telephone conference with J. Barnes; e-mail correspondence with S. Briner re production of claims manual
4/12/2012 Steven D. Hall	1.5 E-mail correspondence to S. Briner re discovery; draft response to plaintiff's motion to extend discovery deadline; conference re same; review correspondence re protective order; research history re requesting deposition dates and plaintiff not providing same
4/13/2012 Steven D. Hall	1.7 Conference re status of M. Dickhute subpoena; draft response to plaintiff's motion to extend discovery; review e-mail correspondence re proposed protective order
4/16/2012 Steven D. Hall	1.4 Revise response to plaintiff's motion to extend discovery deadline; e-mail correspondence to and from S. Briner re deposition schedules; conference re remaining discovery; draft proposed deposition calendar; e-mail correspondence to and from client
4/16/2012 Richard A. Wunderlich	1.2 E-mail correspondence with S. Briner re scheduling; e-mail correspondence with clients re scheduling; review Court Order re deadlines; review information re mechanic lien litigation; prepare for depositions of Fidelity Rule 30(b)(6) witnesses
4/17/2012 Steven D. Hall	5.6 Telephone conference with client re discovery and possible mediation; telephone conference with S. Briner and T. Fritzlen re discovery; telephone conference with M. Dickhute re subpoena; conference re same; research rules re subpoenas for deposition; research policy issuance documents for J. Barnes; e-mail correspondence to J. Barnes re same
4/17/2012 Richard A. Wunderlich	2.3 Telephone conferences with clients re mediation and discovery issues; telephone conference with T. Fritzlen and S. Briner re scheduling of depositions; prepare for depositions of Fidelity corporate representatives and M. Dickhute; telephone conference with T. Fritzlen re deposition of

	M. Dickhute
4/18/2012 John H. Kohler	1.6 Research re Dickhute subpoena fee issue
4/18/2012 Richard A. Wunderlich	1.5 E-mail correspondence with S. Briner re protective order; work on protective order; e-mail correspondence with client; telephone conference with S. Briner re protective order issues and demand for documents
4/19/2012 John H. Kohler	2.3 Compile documents for upcoming T. Hornberg and S. Streiler depositions
4/19/2012 Steven D. Hall	2.3 Review correspondence from attorney G. Thomas re subpoena to M. Dickhute; conference re discovery; e-mail correspondence to S. Briner re scheduling depositions; e-mail correspondence to client and J. Barnes re claims handling materials
4/20/2012 John H. Kohler	0.2 Compile documents for upcoming T. Hornberg and S. Streiler depositions
4/20/2012 Steven D. Hall	1.6 Prepare outline and supporting materials for M. Dickhute deposition
4/22/2012 Steven D. Hall	0.2 Work out outline and materials for use at M. Dickhute deposition
4/23/2012 Steven D. Hall	4.3 Telephone conferences with J. Barnes and clients re upcoming depositions; prepare outline and supporting materials for M. Dickhute deposition; telephone conference with D. Stegmann; review materials from client re requirements for mechanic lien coverage; e-mail correspondence to M. Lang re M. Lang documents; review documents produced by plaintiff in its sixth supplemental production
4/23/2012 John H. Kohler	0.4 Compile documents for T. Hornberg and S. Streiler depositions`
4/24/2012 Steven D. Hall	0.8 E-mail correspondence with S. Briner re depositions; review and research if CPS materials were produced
4/25/2012 Steven D. Hall	2.4 E-mail correspondence with client; telephone conferences with B. Stegmann, T. Fritzlen and R. White re discovery; e-mail correspondence with S. Briner and J. Uecker re depositions; conference re case; review documents re Landmark's activities
4/25/2012 Richard A. Wunderlich	1.2 Telephone conference with attorney for M. Dickhute re deposition; telephone conference with T. Fritzlen re scheduling of deposition of M. Dickhute; e-mail correspondence with attorney for M. Dickhute; prepare for deposition of M. Dickhute; review Chapter 3 of claims handling manual
4/26/2012 Richard A. Wunderlich	1.2 E-mail correspondence with S. Briner re scheduling; conference with T. Fritzlen re depositions and scope; review 30(b)(6) notices; review documents re deposition of Fidelity Rule 30(b)(6) witnesses; prepare demand

	letter and authorization for mediation
4/26/2012 Steven D. Hall	3.1 Telephone conference with attorney A. Hardwick re K. Wiedenmann deposition; telephone conference with K. Watts re deposition; draft notices of deposition; prepare materials for use at plaintiff's 30(b)(6) deposition; e-mail correspondence to and from M. Lang re M. Lang documents
4/27/2012 Steven D. Hall	2.3 E-mail correspondence to and from J. Uecker re deposition; e-mail correspondence to and from S. Briner re discovery; analyze court order of June 17, 2011 re plaintiff's refusal to produce CPS materials; prepare materials for use at plaintiff's 30(b)(6) deposition; work on scheduling depositions
4/27/2012 John H. Kohler	0.5 Review file re M. Dickhute documents
4/30/2012 Steven D. Hall	4.1 Telephone conference with B. Stegmann re discovery issues; review motion/memo to quash subpoena served on PNC bank; prepare materials for use at depositions
5/1/2012 John H. Kohler	3.1 Research documents re issuance of title insurance policy
5/1/2012 Steven D. Hall	1.3 Telephone conference with client re discovery; review underwriting materials; draft deposition outline; research issues related to B. Nielsen's competence to testify re banking matters
5/1/2012 Richard A. Wunderlich	1.8 Telephone conference with W. Alper-Pressman re deposition; telephone conference with T. Fritzlen re records deposition of PNC; telephone conference with J. Davis re preparation for depositions of Rule 30(b)(6) witnesses and discovery matters
5/2/2012 John H. Kohler	4.1 Research re discoverability of claim file and privilege assertion
5/2/2012 Richard A. Wunderlich	7.0 Conference with clients re deposition preparation and analysis of claim issues
5/2/2012 Steven D. Hall	8.1 Prepare for conference with clients; conference with clients re depositions; review client documents; gather and prepare materials re underwriting to show contrast re what was done in underwriting policy and what should have been done
5/3/2012 Steven D. Hall	2.2 Review, analyze and prepare materials for depositions; review documents selected by client for use at depositions; review file to ensure that defendant's experts have all documents and information needed to testify at depositions
5/3/2012 John H. Kohler	9.5 Compile documents in preparation for pending depositions
5/3/2012 Bridget G. Hoy	0.6 Review expert report for qualifications issues

5/4/2012 John H. Kohler	3.5 Compile documents re preparation for pending depositions
5/4/2012 Steven D. Hall	5.7 Prepare outline and other materials for use at deposition of plaintiff's corporate designees; review claims handling materials; e-mail correspondence to S. Briner re CPS materials
5/4/2012 Richard A. Wunderlich	5.4 Attend depositions of Landmark representatives, T. Hornburg and S. Streiler
5/6/2012 Steven D. Hall	0.6 Prepare materials for use at deposition of plaintiff's corporate representatives
5/7/2012 Steven D. Hall	9.8 Incorporate clients' deposition questions into outline; prepare for and attend depositions of plaintiff's corporate representatives
5/7/2012 Richard A. Wunderlich	8.5 Attend and take deposition of Fidelity's Rule 30(b)(6) witnesses; conference with clients
5/7/2012 John H. Kohler	0.3 Assist with document production re deposition preparation
5/8/2012 Steven D. Hall	5.5 E-mail correspondence to S. Briner re CPS materials; conference re discovery issues; prepare index of deposition exhibits; prepare materials for M. Dickhute deposition; review e-mail correspondence from T. Fritzlen re additional Captiva depositions; research and draft motion to compel production of CPS materials; telephone conferences with client re case
5/8/2012 Richard A. Wunderlich	0.5 Prepare for deposition of D. Stegmann
5/9/2012 Steven D. Hall	5.9 Research and draft motion to compel production of CPS materials; research and draft motion to shorten time in which plaintiff may respond to motion to compel; telephone conference with W. Alper-Pressman re loan sale agreement documents; research re same
5/9/2012 Richard A. Wunderlich	8.5 Attend and defend deposition of D. Stegmann
5/9/2012 John H. Kohler	1.0 Assist with document production re deposition preparation; cite check motion to compel production; cite check motion to shorten time to respond re same
5/10/2012 Richard A. Wunderlich	6.0 Attend and defend deposition of D. Stegmann
5/10/2012 Steven D. Hall	5.6 Review court filings; prepare materials for MLake 75, K. Watts and K. Wiedenmann depositions; conference re same
5/11/2012 Richard A. Wunderlich	0.3 Review B. Nielsen publications
5/11/2012 Richard A. Wunderlich	1.2 Prepare for depositions of M. Dickhute and experts
5/11/2012 Steven D. Hall	3.2 Prepare for depositions; draft motion to shorten time re plaintiff's response to

	defendant's motion to compel; review additional documents
5/14/2012 Steven D. Hall	3.5 Prepare documents and materials for depositions; telephone conference with client; e-mail correspondence to and from client re pending depositions; e-mail correspondence to and from S. Briner re same
5/15/2012 Steven D. Hall	8.1 Prepare materials for pending depositions; prepare materials for deposition of C. Sneed; e-mail correspondence to and from S. Briner re C. Sneed deposition and re discovery issues; telephone conferences with S. Briner re same
5/15/2012 Richard A. Wunderlich	3.0 Telephone conference with S. Briner; prepare for deposition of M. Dickhute; review documents; e-mail correspondence with J. Barnes re LandChoice depositions; e-mail correspondence with B. Stegmann re LandChoice documents; review documents and summaries
5/16/2012 Steven D. Hall	7.7 Prepare for deposition of C. Sneed; depose witness C. Sneed; telephone conference with client re same; conference with S. Briner re discovery issues
5/16/2012 John H. Kohler	1.0 Prepare documents for K. Watts and K. Wiedenmann depositions
5/17/2012 Steven D. Hall	4.6 Review documents provided by client for LandChoice depositions; prepare for deposition of LandChoice former employee, K. Watts; draft summary of Mlake 75 deposition; telephone conferences with S. Briner; telephone conferences with client
5/17/2012 Richard A. Wunderlich	3.0 Prepare for deposition of K. Watts and K. Weidenmann; e-mail correspondence with S. Briner re LandChoice documents; review LandChoice communications with J. Levitch; telephone conference with S. Briner re discovery schedule and issues
5/18/2012 Steven D. Hall	6.0 Prepare for deposition of K. Watts; attend deposition of K. Watts
5/18/2012 Richard A. Wunderlich	6.0 Attend and take deposition of K. Watts at Lake of the Ozarks
5/21/2012 Steven D. Hall	5.3 Prepare materials for use at M. Dickhute deposition; draft supplemental requests for production of documents re net worth of plaintiff; draft supplemental interrogatories re same; research sequence of mechanic's liens re 10/24 PDE
5/21/2012 John H. Kohler	1.8 Research October 24, 2008 Pending Disbursement Endorsement re listed mechanic's liens
5/22/2012 John H. Kohler	2.0 Prepare documents for L. Perna and C. Detring depositions`
5/22/2012 Steven D. Hall	2.3 Analyze and prepare documents for use at depositions; e-mail correspondence to and

	from client re same
5/22/2012 Richard A. Wunderlich	5.5 Prepare for deposition of M. Dickhute; e-mail correspondence with J. Barnes; review information from J. Barnes; review documents; review claims manual and expert reports
5/23/2012 Steven D. Hall	5.3 Prepare documents for C. Detring and L. Perna depositions; research background information re N. Barfield; conference re suffered and assumed defense; telephone conference with J. Barnes re depositions; revise defendant's second set of interrogatories re net worth of plaintiff; revise second request for production of documents re net worth of plaintiff; transmit and mail same to S. Briner
5/23/2012 John H. Kohler	3.3 Prepare documents for C. Detring deposition
5/23/2012 Richard A. Wunderlich	9.0 Attend and take deposition of M. Dickhute in Omaha, Nebraska
5/24/2012 Richard A. Wunderlich	4.5 Prepare for and take deposition of C. Detring
5/24/2012 Steven D. Hall	6.3 Prepare documents for use at C. Detring and L. Perna depositions; review e-mail correspondence between C. Detring/LandChoice and M. Dickhute and J. Levitch; review correspondence and documents received from client; prepare for and attend deposition of C. Detring
5/25/2012 Steven D. Hall	3.3 Prepare materials for deposition of L. Perna
5/25/2012 Richard A. Wunderlich	5.0 Prepare for and take deposition of L. Perna
5/29/2012 Steven D. Hall	0.2 Conference re remaining discovery and re motion to compel; e-mail correspondence to and from S. Briner's office re depositions
5/29/2012 Richard A. Wunderlich	2.0 E-mail correspondence with S. Briner re discovery issues and depositions; telephone conference with B. Stegmann re depositions and discovery matters; prepare for deposition of expert; work on motion to compel
6/1/2012 Richard A. Wunderlich	0.5 Work on motion to compel testimony and production of documents; prepare for deposition of plaintiff's expert; work on discovery issues
6/1/2012 Eric D. Block	0.7 Research re J. Bushnell Nielsen subpoena; e-mail correspondence re same
6/1/2012 Steven D. Hall	1.1 Research re motion to compel; draft amended notice of deposition for J. Bushnell Nielsen to include requests for documents; correspondence to S. Briner re same
6/3/2012 Steven D. Hall	0.9 E-mail correspondence to and from S. Briner re J. Bushnell Nielsen deposition; research re close of discovery; analyze court's order re same
6/4/2012 Steven D. Hall	0.8 Conference re case status; e-mail correspondence to and from S. Briner re discovery; research re effect of discovery

	closing on pending discovery requests; telephone conference with C. Lindquist re expert report
6/5/2012 Steven D. Hall	3.6 Review deposition transcript of M. Dickhute; draft motion to compel
6/6/2012 Bridget G. Hoy	2.8 Analyze expert exclusion issues in preparation for J. Bushnell Nielsen deposition
6/6/2012 Steven D. Hall	3.9 Conference re discovery issues; correspondence to A. Hardwick re depositions; research re scope of attorney-client privilege when insurer and insured become adversarial; e-mail correspondence to and from S. Briner re discovery and improper assertions of privilege; telephone conference with S. Briner re discovery; telephone conference with R. White re upcoming deposition
6/6/2012 Richard A. Wunderlich	1.5 Telephone conference with S. Briner re production of major claims report and documents being withheld by Fidelity; work on discovery
6/7/2012 Bridget G. Hoy	3.0 Work on Daubert law update in support of deposition of J. Bushnell Nielsen; analyze prior attacks on Nielsen opinions and order to strike same
6/7/2012 Steven D. Hall	2.3 Telephone conference with S. Briner re discovery disputes; research case law cited by plaintiff re proposition that plaintiff has right to not produce CPS materials and Major Claims Reports; draft motion to compel
6/7/2012 John H. Kohler	2.0 Update deposition exhibit index; review L. Perna, C. Detring and M. Dickhute exhibits; review D. Anderson invoices re attorney-client privileged information
6/7/2012 Richard A. Wunderlich	2.0 Conference with J. Barnes re deposition of J. Bushnell Nielsen; review information from J. Barnes; work on motion to compel; telephone conference with S. Briner
6/8/2012 John H. Kohler	1.7 Review recent supplemental production of documents to determine whether documents were previously produced by Captiva; revise deposition exhibit index; revise memorandum in opposition to plaintiff's motion to exclude defendant's untimely disclosures
6/8/2012 Steven D. Hall	5.4 Analyze plaintiff's motions to exclude defendant's supplemental document production and for protective order; research and draft motion to shorten time, motion to compel, response to defendant's motion to exclude and for protective order; conference re same; e-mail correspondence to and from client and S. Briner re same; telephone conference with client re same
6/8/2012 Bridget G. Hoy	2.6 Analyze J. Bushnell Nielsen deposition

testimony for admissions re opinions, legal conclusions, and expertise

6/8/2012 Richard A. Wunderlich	2.5 Review information from J. Barnes re endorsements dealing with pending endorsements to be used in loan advances; telephone conference with J. Barnes; review information re J. Bushnell Nielsen and preparation for deposition of J. Bushnell Nielsen; work on motion to compel; e-mail correspondence with S. Briner re claims handling information and protective order; work on motion to file information under seal
6/9/2012 Steven D. Hall	2.6 Prepare materials for use at J. Bushnell Nielsen deposition; review and redact D. Anderson billing statements for supplemental production to plaintiff; review background information re J. Bushnell Nielsen and previous efforts of other litigants to exclude Nielsen's testimony
6/11/2012 Richard A. Wunderlich	7.5 Attend and take deposition of J. Bushnell Nielson, Fidelity's expert
6/11/2012 Steven D. Hall	8.8 Prepare for J. Bushnell Nielsen deposition; attend deposition of J. Bushnell Nielsen; review J. Bushnell Nielsen file; research re when insured and insurer become sufficiently adversarial to defeat insured's claim to file
6/12/2012 Steven D. Hall	1.7 Review court orders; draft court filing re filing Exhibit 3 to motion to compel under seal; conference re when insured and insurer become adversarial; review e-mail correspondence from S. Briner re discovery; e-mail correspondence and telephone conferences with J. Uecker re testimony
6/12/2012 John H. Kohler	0.5 Review scheduling orders; conference re jury instructions`
6/13/2012 Steven D. Hall	0.1 Review J. Bushnell Nielsen articles and writings for potential impeachment purposes and possible motion to exclude J. Bushnell Nielsen testimony
6/14/2012 Steven D. Hall	1.2 Analyze potential jury instructions; research basis for motion in limine to exclude evidence outside policy/contract on basis of parol evidence rule
6/15/2012 Steven D. Hall	4.5 Research effect of underwriter's potential oversights on enforceability of policy and what evidence is admissible; review plaintiff's response to Captiva's motion to compel and authorities cited therein; conference re same; research re adversarial insured and insurer
6/15/2012 Richard A. Wunderlich	4.0 Prepare for deposition of J. Uecker; review report; prepare for deposition of R. White; prepare for conference with R. White; work on discovery; review motion in opposition to motion to compel; work on reply memorandum; review research and cases on issues of claims file production; trial preparation

6/16/2012 Steven D. Hall	0.8 Research adversarial insured and insurer issues re giving insurer privilege over the claims file
6/18/2012 Steven D. Hall	4.6 Conference with R. White re deposition; research and draft reply brief in support of motion to compel production of information re handling of Captiva's claim
6/18/2012 Richard A. Wunderlich	4.5 Conference with R. White re deposition and opinions; conference with J. Uecker re deposition and opinions; conference with clients
6/18/2012 John H. Kohler	8.1 Review file re March 2008 unfunded draw; research re discovery of Fidelity case file
6/19/2012 John H. Kohler	9.3 Review file re March 2008 unfunded draw; research re discovery of Fidelity case file
6/19/2012 Steven D. Hall	4.2 Research re production of information related to handling of Captiva's claim when insurer and insured become adversarial; conference re pending motions re suffered and assumed defense; telephone conference with C. Lindquist; conference with J. Uecker re testimony; conference with R. White re testimony
6/19/2012 Richard A. Wunderlich	3.8 Attend deposition of J. White; conference with B. Stegmann re bank records and payments for work completed
6/20/2012 Richard A. Wunderlich	6.0 Attend and defend deposition of J. Uecker; conference with client re issues
6/20/2012 John H. Kohler	4.7 Research re discovery of Fidelity case file; draft memorandum for inclusion in reply to motion to compel
6/20/2012 Steven D. Hall	1.3 Research and draft reply brief in support of motion to compel production of information re handling of Captiva's claim
6/21/2012 Steven D. Hall	7.6 Research and draft reply brief in support of motion to compel information re handling of Captiva's claim; e-mail correspondence from S. Briner re additional depositions; research deposition history
6/21/2012 Richard A. Wunderlich	2.3 Trial preparation; work on reply in support of motion to compel
6/22/2012 Richard A. Wunderlich	4.5 Conference with clients re bank records of advances and payments; work on reply in support of motion to compel; prepare for deposition of K. Meyer
6/22/2012 Steven D. Hall	4.3 Revise reply brief in support of motion to compel production of claims file materials; research question whether Fidelity officially communicated a denial of claim to Captiva; conference re potential underwriting mistakes on coverage; review plaintiff's discovery motions; conference re same

6/22/2012 John H. Kohler	2.4 Revise reply in support of motion to compel
6/25/2012 Steven D. Hall	3.7 Telephone conferences with client re documents; review exhibits to depositions in underlying actions; review paper files produced by Sauerwein law firm; draft response to motion to extend discovery; draft response to Fidelity's motion for more time to respond or object to Captiva's discovery requests; research basis to exclude J. Bushnell Nielsen's testimony
6/25/2012 Richard A. Wunderlich	4.0 Prepare for deposition of K. Meyer re deposition of S. Dallman and bank representative; review documents and information re loan advances; review information from client; work on trial themes and issues re presentation of claims
6/25/2012 John H. Kohler	1.1 Legal research re National City Bank lawsuit against R. Kidwell
6/26/2012 John H. Kohler	4.4 Legal research re unfunded draw, asserted basis for Grau lien, payments to Grau and settlement of Grau lien `
6/26/2012 Steven D. Hall	3.8 Review materials from client; telephone conference with J. Barnes; revise and file responses to plaintiff's discovery-related motions; research basis for exclusion of J. Bushnell Nielsen's testimony; review case law cited in J. Bushnell Nielsen's report
6/26/2012 Richard A. Wunderlich	3.0 Conference with clients re deposition of K. Meyer and strategy issues; prepare for deposition of K. Meyer in Bloomington Hills, Michigan
6/27/2012 Steven D. Hall	3.0 Research and draft motions in limine re exclusion of J. Bushnell Nielsen's testimony and purported evidence re plaintiff's suffered and assumed claim; review J. Bushnell Nielsen's report and deposition testimony for use in said motion; telephone conference with C. Lindquist re report
6/27/2012 John H. Kohler	3.4 Research re supplementing C. Lindquist report; review construction draws `
6/27/2012 Richard A. Wunderlich	8.0 Attend and take deposition of K. Meyer of PNC Bank in Bloomington Hills, Michigan
6/28/2012 Steven D. Hall	6.6 Analyze need for supplementing C. Lindquist report; conference re pretrial matters; research and draft motions to exclude testimony of J. Bushnell Nielsen and evidence re plaintiff's suffered and assumed claim
6/28/2012 Richard A. Wunderlich	1.5 Trial preparation; review documents and information re themes; work on power point presentation
6/28/2012 John H. Kohler	4.5 Research re unfunded construction draw; research and draft jury instructions
6/29/2012 Richard A. Wunderlich	1.5 Review information from B. Stegmann; work on

	issues re trial theme re failure to provide defense and gather information to limit and defeat liens on basis of failure to provide work on materials and lien waivers provided
6/29/2012 Steven D. Hall	2.9 Work on jury instructions, exhibit list and motions in limine re exclusion of J. Bushnell Nielsen's testimony and purported evidence re plaintiff's suffered and assumed claim; review materials received from client; analyze need to supplement C. Lindquist's report
6/30/2012 Steven D. Hall	0.8 Review materials from client re failure to defend
7/2/2012 Steven D. Hall	0.3 Review analysis of whether particular subsets of documents were properly produced
7/2/2012 John H. Kohler	4.2 Review document subset to determine whether documents had previously been produced; draft e-mail correspondence summarizing conclusions re same
7/3/2012 John H. Kohler	4.0 Update deposition exhibit index; draft exhibit list for filing with court; review exhibits
7/3/2012 Steven D. Hall	2.3 Research and draft motions in limine to exclude both B. Nielsen testimony and evidence related to any suffered and assumed defense; review draft jury instructions; review research re legal standards applicable re dispute between insurer and insured
7/3/2012 Richard A. Wunderlich	1.4 Review depositions of R. White and J. Uecker
7/6/2012 Steven D. Hall	0.7 Research standards of review and principles of contract construction re insurance context; review correspondence from S. Briner's office re Landmark documents and discovery
7/9/2012 Steven D. Hall	5.8 Review documents produced by plaintiff, including responses and objections to discovery requests; telephone conference with client; outline trial brief; conference re witness list and deposition designations; review deposition of L. Perna re trial deposition designations
7/10/2012 Richard A. Wunderlich	0.4 Review orders of the Court re discovery disputes; telephone conference with D. Stegmann re orders
7/10/2012 Steven D. Hall	7.5 Review court orders; telephone conference with J. Barnes re same; draft notice and memorandum to court re M. Dickhute's deposition transcript; assemble M. Dickhute deposition exhibits; research local rules re providing materials to Judge Jackson; research local rules re electronic filing of numerous exhibits; e-mail correspondence to and from client; telephone conference with judge's chambers re en camera order; e-mail correspondence to and from plaintiff's counsel re discovery; draft motion to exclude

3(a) evidence

7/11/2012 Steven D. Hall	5.1 Telephone conference with C. Lindquist re report and trial date; e-mail correspondence to expert witnesses re new trial date; review materials provided by client; review research re effect of reservation of rights on evidentiary and procedural matters in trial between insured and insurer; research and draft motion in limine to exclude 3(a) evidence
7/12/2012 Steven D. Hall	5.3 Review exhibits used in C. Lindquist deposition; review transcript of C. Lindquist deposition to assess need to supplement Lindquist expert report; conference re same; research re possible motions in limine; review correspondence from S. Briner to court re in camera inspection
7/13/2012 Richard A. Wunderlich	3.0 Trial preparation; review deposition of M. Dickhute and documents relating to closing in 2007
7/13/2012 Steven D. Hall	5.8 Review documents produced by persons associated with Mlake at C. Sneed deposition; research re possible motions in limine; research re effect of reservations of rights; edit and research jury instructions
7/17/2012 Richard A. Wunderlich	2.5 Telephone conference with B. Stegmann re Butler Supply lien issues; review information from B. Stegmann; trial preparation
7/20/2012 Richard A. Wunderlich	0.5 Telephone conference with J. Blanner re Grau litigation issues involving the claim of Butler Supply and communications with T. Bond; review information; e-mail correspondence with client re issue
7/26/2012 Steven D. Hall	3.8 Research re testimony and evidence needed to sustain an award of attorney fees; draft motion in limine to exclude Nielsen testimony; review research re the effect of a reservation of rights on evidentiary and discovery issues
7/27/2012 Steven D. Hall	2.9 Analyze B. Nielsen report and deposition transcript re drafting motion in limine to exclude B. Nielsen testimony
7/30/2012 Steven D. Hall	0.4 Telephone conference with client re case; research re evidentiary basis to sustain an award of attorney fees re vexatious refusal case
7/31/2012 Steven D. Hall	1.1 Telephone conferences with client; research re ongoing obligation to supplement information provided in response to previously-issued subpoena; conference re same; draft potential language to T. Bond re supplementing previous production of documents; review correspondence from S. Briner to Judge Jackson re discovery issues
7/31/2012 Richard A. Wunderlich	0.5 E-mail correspondence with clients re request for update information from Sauerwein firm;

	work on e-mail responses; telephone conference with D. Stegmann
8/7/2012 Steven D. Hall	0.1 Telephone conference with C. Lindquist
8/8/2012 Richard A. Wunderlich	1.0 Conference with clients re trial issues, damages and preparation for trial
8/14/2012 Steven D. Hall	0.4 Review trial exhibit list and correspondence between the Sauerwein law firm and Captiva; conference re trial preparations; research and draft motions in limine; telephone conference with court clerk re trial date
8/14/2012 Richard A. Wunderlich	2.0 Review information from clients; trial preparation
8/16/2012 Steven D. Hall	0.3 Telephone conference with court clerk re trial date; draft motion to continue trial date
8/17/2012 Steven D. Hall	0.3 Review court's order re motion to compel; conference re same; e-mail correspondence to client re same
8/17/2012 Richard A. Wunderlich	0.6 Review Court Order re outstanding discovery motions; telephone conference with D. Stegman
8/18/2012 Richard A. Wunderlich	0.3 Review Court's memorandum and order re motion to compel production of CPS and claim information
8/24/2012 Steven D. Hall	0.3 Conference re trial preparations; e-mail correspondence to S. Briner re trial date; draft motion to continue trial date
8/27/2012 Steven D. Hall	0.8 Legal research re motions in limine
8/28/2012 John H. Kohler	0.2 Review order granting motion to compel `
8/29/2012 Steven D. Hall	2.3 Research and edit proposed jury instructions; research and draft motion to continue trial date; telephone conference with S. Briner re trial date and related matters
8/31/2012 Steven D. Hall	0.6 E-mail correspondence to and from S. Briner re trial date; work on motions in limine
9/4/2012 Steven D. Hall	1.8 Review correspondence and documents from S. Briner; conference re same; legal research re motions in limine
9/4/2012 Richard A. Wunderlich	0.4 E-mail correspondence with S. Briner re production of documents pursuant to Court order; telephone conference with D. Stegmann; telephone conference with J. Davis re production
9/5/2012 Steven D. Hall	5.3 Telephone conferences with client; review documents produced by plaintiff pursuant to court order granting Captiva's motion to compel; legal research re motions in limine
9/5/2012 Richard A. Wunderlich	1.2 Trial preparation; review documents produced by Fidelity

9/6/2012 Steven D. Hall	5.5 Review plaintiff's 11th supplemental document production; conference with B. Stegmann and J. Davis re same; correspondence to S. Briner addressing production issues; legal research re motions in limine; draft motions in limine
9/6/2012 Richard A. Wunderlich	0.5 Review documents and information produced by Fidelity pursuant to Court Order; telephone conference with clients
9/7/2012 Richard A. Wunderlich	0.6 Review documents produced by Fidelity; telephone conference with B. Stegmann; work on correspondence to S. Briner re production
9/7/2012 John H. Kohler	0.1 Revise correspondence to S. Briner
9/7/2012 Steven D. Hall	5.6 Legal research re deficiencies in plaintiff's 11th supplemental production of documents; draft correspondence re same; review correspondence and other materials received from client; telephone conference with client
9/10/2012 Richard A. Wunderlich	1.2 Review document production by Fidelity; telephone conference with D. Stegmann
9/10/2012 Steven D. Hall	0.7 Review documents received from client and plaintiff; research re motions in limine
9/11/2012 Richard A. Wunderlich	2.5 Work on discovery issues re production by Fidelity; trial preparation; conference with clients and J. Barnes
9/12/2012 Steven D. Hall	5.3 Conference re discovery issues; review correspondence concerning same; legal research re enforceability of trial subpoena to C. Detring; draft motion for sanctions and supporting legal memorandum; legal research re same
9/12/2012 Richard A. Wunderlich	2.0 Telephone conferences with clients re discovery response of Fidelity and motion for sanctions; review e-mail correspondence from S. Briner; respond to e-mail; work on exhibit list and trial preparation
9/13/2012 Steven D. Hall	10.0 Research enforceability of trial subpoena re C. Detring; research and draft motion for sanctions and supporting legal memorandum
9/13/2012 Richard A. Wunderlich	3.5 Work on motion for sanctions; review documents and production received from Fidelity; e-mail correspondence with B. Stegmann; review information from J. Davis; trial preparation
9/14/2012 Reida M. Andersen	2.0 Conference re preparation of trial exhibits and subpoenas to be issued to trial witnesses
9/14/2012 Steven D. Hall	9.3 Work on motion for sanctions and supporting legal memorandum; review documents produced by Fidelity; e-mail correspondence to and from client; conference re trial preparations and strategy; conference re Fidelity's purported legal authority for limitations on Captiva's damages

9/14/2012 John H. Kohler	6.6	Revise motion for sanctions and memorandum in support thereof; conference re trial strategy; review documents in preparation for trial; research re Fidelity's potential strategy based on CPS reports
9/14/2012 Richard A. Wunderlich	4.0	Trial preparation; work on motion for sanctions; telephone conference with D. Stegmann; review correspondence from S. Briner and production of additional documents
9/15/2012 Steven D. Hall	6.0	Work on motion for sanctions and supporting legal memorandum; e-mail correspondence to and from W. Sauerwein re documents to have been produced following B. Simpson deposition; conference re motion; review most recent production of documents from Fidelity
9/16/2012 Richard A. Wunderlich	0.6	Work on motion for sanctions and memorandum in support
9/16/2012 Steven D. Hall	5.1	Work on motion for sanctions and supporting legal memorandum; e-mail correspondence to and from client
9/17/2012 Richard A. Wunderlich	3.5	Work on motion for sanctions and memorandum in support; review documents produced by Fidelity and correspondence from S. Briner; trial preparation
9/17/2012 John H. Kohler	4.3	Research statutory authority re collecting attorney fees; revise motion for sanctions; revise memorandum in support thereof
9/17/2012 Reida M. Andersen	0.6	Prepare trial subpoena re C. Detring; prepare correspondence to C. Detring re trial subpoena; prepare correspondence to process server re service of subpoena on C. Detring
9/17/2012 Steven D. Hall	8.8	E-mail correspondence to and from client re motion for sanctions; telephone conference with client re same; gather, analyze and prepare exhibits to motion for sanctions; work on motion for sanctions and supporting legal memorandum; telephone conference with court clerk re trial setting and motion filing; draft motion for leave to file document under seal; draft motion for leave to file motion exceeding required page limit; conference re motion for sanctions; e-mail correspondence to and from W. Sauerwein re missing documents from B. Simpson deposition
9/18/2012 Steven D. Hall	5.6	Conference re trial preparation; work on motion in limine re excluding evidence re lack of coverage; e-mail correspondence to S. Briner; telephone conference with client; draft and file notice re filing document under seal
9/18/2012 Bridget A. Walton	0.6	Work on trial preparations
9/18/2012 Reida M. Andersen	1.5	Prepare trial subpoenas re M. Blanchard, T. Bond and W. Simpson; prepare correspondence to M. Blanchard, T. Bond and W. Simpson re

	subpoena to appear at trial; review deposition transcript re M. Blanchard's current home and business addresses in preparation of subpoena; prepare correspondence to process server re service of subpoenas for M. Blanchard, T. Bond and W. Simpson
9/18/2012 Reida M. Andersen	1.0 Prepare list identifying exhibits to be used at trial
9/18/2012 John H. Kohler	0.3 Review trial exhibit list
9/18/2012 Richard A. Wunderlich	1.8 Telephone conferences with client re discovery and trial issues; trial preparation
9/19/2012 Richard A. Wunderlich	3.1 Trial preparation; work on pre-trial submissions and deposition designations
9/19/2012 Steven D. Hall	6.3 Legal research re rejected suffered and assumed coverage defense cases; work on motion in limine re excluding evidence related to any coverage defense; e-mail correspondence to and from W. Sauerwein re documents produced; edit presumed coverage jury instructions; draft trial brief; e-mail correspondence to S. Briner re pretrial matters; prepare trial exhibit outline
9/20/2012 Steven D. Hall	2.9 Work on jury instructions and trial brief
9/20/2012 Reida M. Andersen	4.5 Review deposition exhibits in preparation for identifying trial exhibits; work on trial exhibit list; review e-mail correspondence re confirmation of service re trial subpoenas on T. Bond, W. Simpson and M. Blanchard
9/21/2012 Steven D. Hall	2.3 Work on jury instructions; work on trial brief; research range of fact questions re insurance contract deemed ambiguous under Missouri law; prepare trial exhibits; review judgment entered by court re mechanic lien lawsuits
9/21/2012 Reida M. Andersen	4.6 Review deposition exhibits and document productions in preparation of identifying trial exhibits
9/21/2012 Richard A. Wunderlich	2.5 Review documents produced by Fidelity; telephone conference with J. Davis; trial preparation; work on exhibit list and documents; work on deposition designations; work on trial brief issues
9/22/2012 Steven D. Hall	0.5 Work on trial exhibits
9/24/2012 Steven D. Hall	0.8 Work on trial brief and trial exhibits; conference re trial exhibits; telephone conference with M. Blanchard re appearance at trial
9/24/2012 Reida M. Andersen	4.7 Review deposition exhibits and documents produced in preparation of identifying trial exhibits
9/25/2012 Reida M. Andersen	6.6 Revise defendant's trial exhibit list; conference re trial exhibits; review deposition

exhibits

9/25/2012 Steven D. Hall	6.1 Review Fidelity's brief in opposition to Captiva's motion for sanctions; analyze authorities cited therein including attached affidavits; e-mail correspondence to and from client re Fidelity's brief; telephone conference with client re same; e-mail correspondence to S. Briner re pretrial filings; review additional documents produced by Fidelity
9/25/2012 Richard A. Wunderlich	3.0 Review response to motion for sanctions and affidavits; review documents produced by Fidelity; telephone conference with clients re response and affidavits; trial preparation
9/25/2012 John H. Kohler	1.7 Review plaintiff's reply to motion for sanctions; conference re same; review file; research re extrinsic evidence re insurance coverage
9/26/2012 John H. Kohler	1.8 Research extrinsic evidence re insurance coverage; review documents produced by Fidelity; prepare documents for trial
9/26/2012 Richard A. Wunderlich	2.5 Work on reply in support of motion for sanctions; trial preparation
9/26/2012 Steven D. Hall	8.2 Work on trial brief; analyze Fidelity's response to motion for sanctions re need for response thereto; correspondence to S. Briner re continued discovery deficiencies; telephone conferences with client re same; review additional documents produced by Fidelity
9/26/2012 Reid M. Andersen	9.7 Review correspondence re plaintiff's supplemental production of documents; work on defendant's trial exhibit list; conference re additional exhibits to be identified at trial; review deposition transcripts and documents produced re mechanic liens filed and construction draws
9/27/2012 Steven D. Hall	5.2 Work on reply brief in support of motion for sanctions; work on response to S. Briner request for accounting re Captiva's claims of privilege for requested documents; telephone conference with J. Barnes re plaintiff's response to motion for sanctions; telephone conference with D. Stegmann and J. Davis re sanctions and pre-trial matters
9/27/2012 John H. Kohler	0.5 Conference re trial exhibit list and included documents
9/27/2012 Reid M. Andersen	3.0 Review plaintiff's production documents to be identified as trial exhibits; conference re documents produced by plaintiff
9/27/2012 David E. Horan	3.6 Research cases cited by Fidelity re right to oral argument and requirement of bad faith; research re sanctions under Rule 37(c) and the court's inherent power, bad faith requirement prior to imposition of sanctions,

and requirement of oral argument to satisfy the due process clause

9/28/2012 David E. Horan

4.9 Research re sanctions under Rule 37(c) and the court's inherent power, bad faith requirement prior to imposition of sanctions, and requirement of oral argument to satisfy the due process clause; draft inserts for Captiva's response memorandum re Rule 37(c) and court's inherent powers sanctions, bad faith requirement for sanctions, and right to oral argument prior to sanctions

9/28/2012 John H. Kohler

0.5 Prepare trial exhibit list and related documents

9/28/2012 Richard A. Wunderlich

6.0 Telephone conference with attorneys for Fidelity re trial stipulations; trial preparation; work on pre-trial submissions; work on reply in support of motion for sanctions; review documents produced by Fidelity and its updated privilege log

9/28/2012 Steven D. Hall

9.2 Work on reply brief in support of motion for sanctions; telephone conference with S. Briner and T. Fritzlen re trial exhibits and other evidentiary issues; work on trial brief and jury instructions; telephone conference with J. Davis re pretrial work; review materials produced by Fidelity; conference re trial exhibits

9/28/2012 Reid M. Andersen

4.0 Conference re plaintiff's supplemental production of documents to be identified on trial exhibit list; review and identify potential trial exhibits

9/29/2012 Reid M. Andersen

5.5 Revise defendant's trial exhibit list in preparation of filing with court

9/29/2012 Steven D. Hall

5.6 Work on reply in support of motion for sanctions; draft e-mail correspondence to S. Briner re missing deposition exhibits; draft deposition designations for trial and witness list

9/30/2012 Steven D. Hall

10.0 Research and draft reply brief in support of motion for sanctions; conference re trial exhibits and research re duty to preserve relevant evidence; exchange e-mail correspondence with client re reply brief

9/30/2012 Reid M. Andersen

7.5 Prepare defendant's trial exhibits for filing with the court

9/30/2012 David E. Horan

1.1 Research case law re employer liability for actions of employee while acting in scope of employee's employment (as Fidelity's employee, Dickhute's failures are attributable to Fidelity); research holding in *Trost v. Trek Bicycle Corp*

10/1/2012 Reid M. Andersen

10.0 Review and organize potential trial exhibit documents; revise trial exhibit list

10/1/2012 John H. Kohler

7.3 Prepare documents for trial exhibit list;

revise Reply re Motion for Sanctions

10/1/2012 David E. Horan	1.9 Research re spoliation of evidence by an employee imputed to the employer and tortious interference law in Missouri based upon a fiduciary relationship
10/1/2012 Steven D. Hall	10.0 Work on reply brief in support of motions for sanctions; conferences and exchange e-mail correspondence re the same; draft e-mail correspondence to S. Briner re pre-trial matters and document productions; edit pre-trial filing relating to witness and exhibit lists
10/1/2012 Richard A. Wunderlich	5.0 Work on reply in support of motion for sanctions; work on pre-trial submissions; trial preparation; review exhibits
10/2/2012 Steven D. Hall	10.0 Work on joint stipulation of uncontested facts, trial brief, witness list, exhibit list and deposition/interrogatory designations; exchange e-mail correspondence with S. Briner re pre-trial filings; telephone conference with client re pre-trial matters; research re measure of damages under a failure to defend as opposed to a failure to indemnify
10/2/2012 David E. Horan	3.1 Research re tortious interference in Missouri based upon a fiduciary relationship; review and cite check Captiva's reply to Fidelity's response to motion for sanctions
10/2/2012 John H. Kohler	9.2 Prepare exhibits for pre-trial filing due October 2, 2012; revise pre-trial filings, including trial brief and jury instructions
10/2/2012 Richard A. Wunderlich	8.0 Trial preparation; work on pre-trial submissions; telephone conference with client; e-mail correspondence with S. Briner re stipulation and pre-trial submissions
10/2/2012 Reida M. Andersen	9.3 Revise defendant's trial exhibit list; prepare documents to be produced re same
10/2/2012 Sarah A. Milunski	1.3 Research re insurer's duty to defend and duty of indemnification
10/3/2012 Reida M. Andersen	2.0 Review plaintiff's trial exhibits; review disk forwarding defendant's trial exhibits
10/3/2012 Reida M. Andersen	4.0 Review document produced by plaintiffs in preparation for trial; prepare binders containing trial exhibits
10/3/2012 John H. Kohler	7.8 Review Fidelity's pre-trial filings; analyze Fidelity's pre-trial brief; conferences re potential response to same and trial and motion strategy; revise proposed jury instructions; research re legal support for revised jury instructions
10/3/2012 Steven D. Hall	7.4 Work on trial exhibits; analyze Fidelity's pre-trial filings; research and draft memorandum re positions taken

	in Fidelity's trial brief
10/3/2012 Richard A. Wunderlich	1.3 Review pre-trial filings filed by Fidelity; trial preparation
10/4/2012 Bridget A. Walton	0.5 Assist with trial preparations re technology/trial director in the court room
10/4/2012 Steven D. Hall	8.5 Research and draft memorandum in opposition to positions taken in Fidelity's trial brief for use in Captiva's bench brief(s) and motion(s) in limine; review materials sent by client; conference re Fidelity's trial brief and Captiva's response
10/4/2012 Richard A. Wunderlich	5.5 Trial preparation; work on motions in limine; review documents and information produced by Fidelity; review deposition transcripts; work on exhibits
10/4/2012 John H. Kohler	3.3 Research legal support for revised jury damage instruction; prepare for conference with client; conferences re arguments in Fidelity's pre-trial brief and Fidelity's privilege log
10/4/2012 Reid M. Andersen	7.0 Review and prepare documents in preparation for trial prep meeting with client
10/4/2012 Sarah A. Milunski	3.0 Research re when the duty to indemnify arises
10/5/2012 Reid M. Andersen	3.0 Review plaintiff's production documents
10/5/2012 Reid M. Andersen	3.0 Prepare documents in preparation for conference re Trial Prep
10/5/2012 John H. Kohler	2.3 Revise and cite check motion in limine; conference re trial strategy; review Fidelity's proposed jury instructions re possible objections thereto
10/5/2012 Richard A. Wunderlich	3.5 Trial preparation; work on exhibits and evidence to be presented; e-mail correspondence with clients; review documents produced by Fidelity
10/5/2012 Steven D. Hall	7.4 Research and draft memorandum in opposition to positions taken in Fidelity's trial brief for use in Captiva's bench brief(s) and motion(s) in limine
10/6/2012 Steven D. Hall	5.7 Research and draft memorandum in opposition to positions taken re Fidelity's trial brief for use in Captiva's bench brief(s) and motion(s) in limine; telephone conference with J. Barnes re possible arguments to exclude evidence re exclusions 3(a) and 3(b); work on motion in limine to exclude B. Nielsen's testimony
10/7/2012 Steven D. Hall	4.1 Research and draft memorandum re positions taken re Fidelity's trial brief for use in Captiva's bench brief(s) and motion(s) in limine; work on motion in limine to exclude B. Nielsen's testimony; outline objections to Fidelity's disclosure of

	evidence including testimony Fidelity intends to use and re Fidelity's proposed jury instructions
10/8/2012 Steven D. Hall	9.3 Conference with clients and J. Barnes re trial strategy; work on motion in limine to exclude B. Nielsen testimony; update exhibits
10/8/2012 Richard A. Wunderlich	8.0 Conference with clients re trial preparation and review of exhibits and themes
10/8/2012 Reida M. Andersen	8.0 Conference with client to discuss trial strategies
10/9/2012 Steven D. Hall	7.8 Work on motions in limine; work on objections to plaintiff's pre-trial filings and disclosures; telephone conferences with S. Briner and client; review plaintiff's reply brief and authorities cited therein
10/9/2012 David E. Horan	0.4 Review Fidelity's pre-trial brief; research re cases cited within the brief
10/9/2012 John H. Kohler	6.6 Conference re jury instructions, Fidelity's privilege log and trial strategy; research re just and true account as basis for invalidating mechanic's lien; research Missouri law re date mechanic's lien arises for purposes of title insurance coverage`
10/9/2012 Richard A. Wunderlich	1.5 Trial preparation; e-mail correspondence with T. Fritzlen
10/10/2012 John H. Kohler	6.4 Draft objections to plaintiff's proposed jury instructions; conference re pre-trial filings due and trial strategy; revise first motion in limine; review file re just and true account defense
10/10/2012 David E. Horan	3.4 Research re cases cited by Fidelity in its pre-trial brief to determine whether the cases stand for the propositions Fidelity claims and whether the cases are distinguishable from Captiva case; prepare outline of cases and distinguishing facts and holdings of the cases
10/10/2012 Richard A. Wunderlich	5.0 Trial preparation; work on motions in limine; work on supplemental trial brief
10/10/2012 Reida M. Andersen	0.2 Telephone conference with court reporter re preparation of video clips for trial
10/10/2012 Reida M. Andersen	3.0 Revise amended trial exhibit list
10/10/2012 Steven D. Hall	8.5 Work on motions in limine; legal research re when mechanic lien arises; conference re authorities cited in plaintiff's trial brief; work on exhibits and demonstrative aids; e-mail correspondence to and from S. Briner re missing documents
10/11/2012 Steven D. Hall	10.0 Work on motions in limine; edit objections to plaintiff's jury instructions; edit deposition designations and exhibits; work on defendant's amended exhibit list

10/11/2012 Richard A. Wunderlich	7.0 Trial preparation; work on pre-trial filings; review pre-trial filings by Fidelity
10/11/2012 Reida M. Andersen	3.5 Review and prepare amended trial exhibits
10/11/2012 Reida M. Andersen	3.5 Review L. Perna's deposition transcript re defendant's deposition designations in preparation for trial
10/11/2012 John H. Kohler	7.7 Revise first and second motions in limine; review plaintiff deposition designations; draft objections re same; work on objections to plaintiff jury instructions
10/12/2012 John H. Kohler	5.6 Revise first and second motions in limine and memoranda in support thereof; review plaintiff deposition designations; draft objections to same; revise objections to plaintiff exhibit designations; conferences re same; review plaintiff filings `
10/12/2012 Reida M. Andersen	3.5 Review M. Dickhute's deposition transcript re defendant's deposition designations in preparation for trial
10/12/2012 Steven D. Hall	10.0 Telephone conference with expert witnesses; telephone conference with client; e-mail correspondence to and from with client; work on objections to Fidelity's proposed jury instructions, trial exhibits and deposition designations; work on motions in limine; review J. Nielsen and K. Watts deposition transcripts
10/12/2012 Richard A. Wunderlich	5.0 Work on pre-trial filings and memorandum; trial preparation; review pre-trial filings by Fidelity; review order from Court re continuance of trial and pre-trial setting; telephone conference with D. Stegmann
10/13/2012 Steven D. Hall	1.4 Review plaintiff motions in limine; review plaintiff motion to dismiss and authorities cited therein; draft correspondence to trial witnesses under subpoena re trial date and their continuing obligation
10/15/2012 Steven D. Hall	1.5 Conference re plaintiff pre-trial filings; review same; telephone conference with court re need to file further pre-trial filings due to trial date vacated
10/15/2012 Richard A. Wunderlich	3.0 Review court order granting leave to file memorandum in excess of page limitation; review pleadings and motions filed by Fidelity; conference with clients re response strategy; work on response to motion to dismiss; e-mail correspondence with B. Stegmann; review client information
10/16/2012 John H. Kohler	7.1 Legal research re allegations in plaintiff's motion to dismiss; research re ripeness of indemnity claim and insurer obligation to defend or indemnify; draft response to plaintiff's motion to dismiss `

10/16/2012 Steven D. Hall	4.2 Review plaintiff motions in limine and authorities cited therein; outline potential responses; legal research re entry of judgment giving rise to claim of indemnity
10/17/2012 Steven D. Hall	1.5 Telephone conference with J. Barnes re pre-trial issues; work on response to plaintiff's motion to dismiss; conference re same
10/17/2012 Richard A. Wunderlich	0.5 Work on response to motion to dismiss
10/18/2012 Richard A. Wunderlich	4.5 Work on response to motion to dismiss and supporting documentation
10/18/2012 Steven D. Hall	11.9 Work on response to motion to dismiss; conference re same
10/18/2012 John H. Kohler	2.2 Revise response to motion for summary judgment; legal research re same; compare Fidelity's privilege index to production`
10/19/2012 Steven D. Hall	3.6 Conference re pre-trial conference strategy; draft and file motion for ruling to set deadline for responding to pending motions in limine at pre-trial conference; review motion for extension of time and amended exhibit list filed by plaintiff; evaluate motions in limine and potential responses thereto
10/19/2012 Richard A. Wunderlich	2.0 Review motion for additional time filed by Fidelity; prepare motion to extend dates for responding to motions in limine; telephone conference with B. Stegmann; e-mail correspondence with B. Stegmann; review e-mail correspondence from T. Bond re motion for new trial; telephone conference with D. Stegmann and B. Stegmann re response to T. Bond e-mail; work on response; review motion for new trial prepared by T. Bond;
10/19/2012 Reida M. Andersen	2.5 Review deposition exhibits re B. Nielson, R. White, J. Uecker and K. Meyer
10/22/2012 Richard A. Wunderlich	1.2 Work on correspondence to T. Bond in response to T. Bond e-mail suggesting Captiva directed actions to be taken re motion for new trial and appeal; e-mail correspondence with clients; telephone conference with clients; e-mail correspondence with J. Barnes
10/22/2012 Reida M. Andersen	1.6 Revise deposition index re D. Stegmann, C. Sneed and K. Watts
10/23/2012 Richard A. Wunderlich	0.6 Review correspondence from W. Sauerwein; telephone conference with clients; work on response to correspondence
10/24/2012 Richard A. Wunderlich	1.5 Work on response to W. Sauerwein; e-mail correspondence with client; telephone conference with B. Stegmann; review response correspondence from W. Sauerwein; review e-mail correspondence from J. Davis; review correspondence from G. Dawley
10/24/2012 Steven D. Hall	0.7 Review documents and correspondence from

	Sauerwein law firm; prepare supplemental production of documents produced by Sauerwein law firm for plaintiff; edit timeline
10/25/2012 Richard A. Wunderlich	2.3 Review correspondence from G. Dawley; work on response; telephone conferences with B. Stegmann; e-mail correspondence with J. Davis, B. Stegmann and J. Barnes; review correspondence from W. Sauerwein; review Fidelity's Reply to Captiva's Response to Motion to Dismiss; Review correspondence from W. Sauerwein; telephone conference with client re response
10/25/2012 John H. Kohler	0.1 Review plaintiff's reply to defendant's response to motion to dismiss
10/26/2012 Richard A. Wunderlich	0.6 Review correspondence from W. Sauerwein; telephone conference with B. Stegmann re correspondence and response; review reply to opposition to motion to dismiss
10/29/2012 Richard A. Wunderlich	1.4 Work on response to W. Sauerwein correspondence; e-mail correspondence with client; review notice of appeal and related filings
10/30/2012 Richard A. Wunderlich	0.5 E-mail correspondence with W. Sauerwein re notice of appeal and request for bond; review reply of Fidelity re motion to dismiss
10/31/2012 Richard A. Wunderlich	1.5 Work on trial organization and documents; review e-mails and information from clients re various issues; review research re ripeness issue
11/1/2012 John H. Kohler	0.7 Review discovery re e-mail correspondence relating to T. Bond's billing entries for e-mail correspondence to and from Butler Supply's counsel; e-mail correspondence summarizing conclusions re same
11/5/2012 Reid M. Andersen	0.8 Review additional documents to be added to amended trial exhibit list
11/5/2012 Steven D. Hall	1.3 Analyze reply brief in support of motion to dismiss; review research re Butler Supply communications by Sauerwein law firm; edit timeline; correspond with appeals court re posting bond in mechanic lien litigation; review various communications between Fidelity, R. Wunderlich, and the Sauerwein law firm re Sauerwein firm's representation of Captiva; conference re pre-trial conference
11/6/2012 Steven D. Hall	0.2 Research re Abengoa Bioenergy of Kansas v. Chicago Title
11/6/2012 Richard A. Wunderlich	0.2 Review correspondence from G. Dawley
11/6/2012 John H. Kohler	3.8 Review circuit court of St. Louis County case file re Abengoa Bioenergy of Kansas v. Chicago Title for relevant pleadings; obtain jury instructions and pleadings from court file
11/7/2012 John H. Kohler	2.0 Review pleadings from Abengoa Bioenergy of

Kansas v. Chicago Title case

11/12/2012 Steven D. Hall	0.8 Review pending motions in preparation for discussion with court at pre-trial conference
11/12/2012 Richard A. Wunderlich	1.5 Review notice of appeal and appellate filings; work on demand for additional documents
11/13/2012 Richard A. Wunderlich	5.0 Prepare for pre-trial conference with Judge Jackson; attend pre-trial conference; conference with clients re pre-trial conference and related issues; review minute entry by Court
11/13/2012 John H. Kohler	0.2 Conference re pre-trial conference; review order
11/13/2012 Steven D. Hall	5.7 Prepare for and attend pre-trial conference; analyze plaintiff's motions in limine for mootness in light of upcoming rulings on coverage; research re Captiva's motion for summary judgment on coverage
11/14/2012 John H. Kohler	0.2 Review new pretrial order and new filing dates
11/14/2012 Steven D. Hall	6.6 Review Court's orders; calendar new dates re same; telephone conference with J. Barnes re affirmative or go-forward coverage; draft memorandum to file re same; telephone conferences with R. White and M. Blanchard re new trial date; e-mail correspondence to and from M. Lang, C. Lindquist, M. Ottsen, J. Uecker, J. Zanola, C. Detring, T. Bond, W. Simpson and W. Sauerwein re new trial date; correspondence to all witnesses under trial subpoena re obligations under subpoena are ongoing; draft motion for summary judgment
11/14/2012 Richard A. Wunderlich	1.2 Review orders entered by Court re pre-trial issues; telephone conference with clients; work on correspondence to S. Briner re discovery documents not produced
11/15/2012 Steven D. Hall	5.7 Draft motion for summary judgment, supporting memorandum, and possible inserts for reply brief; research and review briefing in Fifth Third Mortgage v. Chicago Title re concepts for inclusion in summary judgment briefing; e-mail correspondence to M. Lang; research question re was bond posted in mechanic lien appeal
11/16/2012 Steven D. Hall	4.5 Review summary judgment pleadings re cases involving Fidelity and affiliated companies wherein Fidelity denied coverage or delayed making a coverage determination; review court orders; conference re same; correspondence to S. Briner re demand for production of documents
11/16/2012 Richard A. Wunderlich	1.8 Review order re motion for sanction and discovery; telephone conference with clients; work on demand for additional documents

11/19/2012 Steven D. Hall	4.1 Draft correspondence to S. Briner demanding production of documents; work on motion for summary judgment
11/20/2012 Steven D. Hall	1.8 Edit demand letter to S. Briner re discovery issues; review correspondence and pleadings to ensure list of requested documents is complete; work on summary judgment motion
11/20/2012 Richard A. Wunderlich	2.2 Work on discovery demand correspondence; review Court order and authority cited; review privilege log and information
11/20/2012 John H. Kohler	0.6 Legal research re attorney client privilege of insured's claim file per Court order
11/21/2012 Steven D. Hall	1.4 Work on summary judgment motion
11/26/2012 Steven D. Hall	0.7 Conference re obtaining additional documents from Fidelity; research re advice of counsel defense and substantial need doctrine in defeating claims of privilege; edit correspondence to S. Briner; work on motion for summary judgment
11/27/2012 Richard A. Wunderlich	0.2 Review e-mail correspondence from T. Bond; review motion to withdraw
11/27/2012 Steven D. Hall	2.5 Research re sustainability of Fidelity's claim of privilege over requested documents; edit correspondence to S. Briner; work on motion for summary judgment
12/3/2012 Richard A. Wunderlich	0.3 Review status report filed by Fidelity pursuant to Court Order
12/4/2012 Steven D. Hall	3.2 Attend conference with client re case strategy; research ethical rules for ex parte conversations and interviews with former employees of party to lawsuit
12/4/2012 Richard A. Wunderlich	3.0 Conference with clients; work on correspondence to S. Briner
12/6/2012 Richard A. Wunderlich	0.4 Work on motion to compel issues and information to be provided to expert re computer information review
12/7/2012 Richard A. Wunderlich	1.5 Work on motion to compel correspondence and table of documents in dispute for production
12/7/2012 Steven D. Hall	3.6 Draft e-mail correspondence to T. Whitledge re expert services; review information received from client to be provided to T. Whitledge; work on motion for summary judgment; prepare chronological outline pertaining to Fidelity's assertions of privilege and disclosure of documents relative to L. Perna and M. Dickhute depositions for purposes of pending motion to compel
12/11/2012 Steven D. Hall	0.4 Work on motion for summary judgment
12/12/2012 Steven D. Hall	3.3 Exchange e-mail correspondence and other materials with T. Whitledge re consultation;

	work on motion for summary judgment
12/13/2012 Steven D. Hall	6.2 E-mail correspondence re T. Whitledge services; work on motion for summary judgment; research re vexatious refusal of insurer to afford coverage
12/14/2012 Steven D. Hall	5.9 Work on motion for summary judgment; research standard of review for interpreting insurance contract
12/14/2012 Richard A. Wunderlich	1.2 Work on motion to compel and correspondence
12/14/2012 John H. Kohler	0.2 Conference re motion for summary judgment `
12/15/2012 Steven D. Hall	3.3 Work on motion for summary judgment; draft statement of uncontroverted material fact in support thereof
12/16/2012 Steven D. Hall	1.8 Work on motion for summary judgment
12/17/2012 Steven D. Hall	2.8 Work on motion for summary judgment
12/18/2012 Steven D. Hall	6.4 E-mail correspondence re T. Whitledge services; analyze privilege log re documents referenced in CPS materials; conference re same; work on motion for summary judgment; telephone conferences with T. Whitledge
12/18/2012 Richard A. Wunderlich	0.8 Conference call with clients and T. Whitledge re expert opinion and review
12/19/2012 Steven D. Hall	2.3 Work on motion for summary judgment; research re breach of insurance policy when insurer defends subject to reservation of rights
12/20/2012 Steven D. Hall	1.1 Work on statement of uncontroverted material fact in support of motion for summary judgment; research re documents needed to support fact statement
12/26/2012 Richard A. Wunderlich	1.8 Telephone conferences with D. Stegmann and J. Davis re new counsel appointed in appeal; telephone conference with M. Gross; e-mail correspondence with M. Gross; work on summary judgment memorandum
12/27/2012 Richard A. Wunderlich	1.5 E-mail correspondence with J. Barnes; work on correspondence with S. Briner and motion to compel; work on summary judgment motion
12/28/2012 Richard A. Wunderlich	2.5 Work on discovery correspondence to S. Briner; work on motion for summary judgment
12/28/2012 Steven D. Hall	3.5 Conference re demand for withheld documents; work on correspondence re same; work on motion for summary judgment
1/1/2013 Steven D. Hall	2.0 Work on motion for summary judgment
1/2/2013 Steven D. Hall	2.3 Work on motion for summary judgment
1/2/2013 Richard A. Wunderlich	0.8 Work on motion for summary judgment; work on motion to compel
1/3/2013 Steven D. Hall	5.4 Work on motion for summary judgment

1/4/2013 Steven D. Hall	3.8 Research recent case law developments affecting Fidelity's coverage defenses; work on motion for summary judgment; draft motion to compel
1/7/2013 Steven D. Hall	7.4 Work on motion for summary judgment; analyze correspondence from S. Briner; conference re same
1/7/2013 Richard A. Wunderlich	1.8 E-mail correspondence with M. Gross re appeal; e-mail correspondence with client; work on motion for summary judgment; review fax from S. Briner re production of documents
1/8/2013 Steven D. Hall	5.8 Work on memorandum in support of motion for summary judgment and statement of uncontroverted material fact; analyze correspondence from S. Briner; conference re same; telephone conferences with T. Whitledge re affidavit; telephone conference with client re strategy; research re allegations made by Fidelity re producing documents; e-mail correspondence to T. Whitledge re same
1/8/2013 Richard A. Wunderlich	3.5 Review correspondence from S. Briner; conference call with clients re response and motion to compel; conference call with T. Whitledge re motion to compel affidavit; work on motion to compel; work on motion for summary judgment
1/8/2013 John H. Kohler	0.3 Conferences re Fidelity's allegations in correspondence re discovery dispute
1/9/2013 John H. Kohler	1.1 Review Motion for Summary Judgment and Memorandum in Support thereof
1/9/2013 Richard A. Wunderlich	2.0 Telephone conference with S. Briner re discovery dispute issues and documents to be produced; e-mail correspondence with S. Briner; work on motion to compel; work on summary judgment motion
1/9/2013 Steven D. Hall	8.0 Telephone conferences with T. Whitledge re affidavit; work on fact statement in support of motion for summary judgment; conference re motion to compel
1/10/2013 Steven D. Hall	7.6 Work on motions to compel and for sanctions; draft language for response to Fidelity's status update filed with the court; telephone conference with T. Whitledge re affidavit; review T. Whitledge affidavit; research re what constitutes a breach of the duty to defend when an insurer defends subject to a reservation of rights
1/10/2013 John H. Kohler	5.2 Revise Motion for Summary Judgment and Memorandum in Support; research re reservation of rights and filing declaratory judgment as possible denial of coverage; research re insurance company's duty of good faith and due care

1/10/2013 Richard A. Wunderlich	0.8 E-mail correspondence with S. Briner re discovery demands; review revised privilege log re M. Dickhute file documents and documents to be produced; work on motion to compel
1/11/2013 Richard A. Wunderlich	1.8 Work on summary judgment motion; conference call with clients re motion for summary judgment
1/11/2013 Steven D. Hall	9.2 Telephone conference with client; work on motion for summary judgment; review correspondence from S. Briner; research re motion's statement of fact
1/12/2013 Steven D. Hall	4.8 Work on motion for summary judgment; telephone conference with J. Barnes re same
1/13/2013 Steven D. Hall	6.6 Work on motion for summary judgment; draft J. Davis affidavit; conference re same; e-mail correspondence re same; draft motion to exceed page limit
1/14/2013 Steven D. Hall	10.0 Work on edits to motion for summary judgment; file motion for summary judgment and exhibits thereto; research documents re grounds asserted by Fidelity for denying coverage; draft motion language re same; telephone conferences with client
1/14/2013 Sarah A. Milunski	6.7 Cite Check Motion for Summary Judgment and accompanying memo in support
1/14/2013 Richard A. Wunderlich	1.4 Work on motion for summary judgment; work on affidavit of J. Davis
1/15/2013 Richard A. Wunderlich	1.0 Review motion for summary judgment filed by Fidelity
1/15/2013 Steven D. Hall	4.0 Telephone conferences with client re summary judgment filings; telephone conferences with court clerk re same; review plaintiff's summary judgment papers and authorities cited therein
1/16/2013 Steven D. Hall	5.8 E-mail correspondence to S. Briner; legal research to refute Fidelity's argument that coverage as to marketability does not apply to mechanic's lien coverage; review plaintiff's summary judgment papers and authorities cited therein; draft motion to compel
1/17/2013 Steven D. Hall	5.7 Research re marketability; review plaintiff's summary judgment papers and authorities cited therein; conference re response to motion for summary judgment and filing motion to compel
1/17/2013 Richard A. Wunderlich	1.5 Work on reply to motion for summary judgment filed by Fidelity and motion to compel; review research and authority
1/18/2013 Richard A. Wunderlich	1.8 Work on motion to compel and opposition to motion for summary judgment filed by Fidelity; review correspondence from S. Briner; work on response

1/18/2013 Steven D. Hall	7.9 Work on motion to compel and exhibits thereto; telephone conferences with D. Stegmann and J. Davis re strategy; telephone conference with T. Whitledge re affidavit; research re holding insurer liable for interference with insured's relationship with retained defense counsel
1/19/2013 Steven D. Hall	4.3 Conference re documents produced by Fidelity; review same; legal research re response to motion for summary judgment; work on outline re response to motion for summary judgment; edit motion to compel
1/21/2013 Steven D. Hall	5.6 Legal research re response to motion for summary judgment; prepare outline re response to motion for summary judgment; review correspondence from S. Briner
1/22/2013 Steven D. Hall	7.8 Telephone conference with client re discovery; review correspondence from S. Briner re same; review correspondence from client re same; work on research and outline re response to Fidelity's motion for summary judgment; review recently produced documents
1/22/2013 Richard A. Wunderlich	1.5 Work on motion to compel; work on opposition to motion for summary judgment
1/22/2013 John H. Kohler	6.2 Review file to ascertain whether recently produced letter and CPS files were previously produced; research re tortious interference claim; review plaintiff's motion for summary judgment; draft outline response to plaintiff's tortious interference argument; review Judge's orders re tortious interference claim and attorney/client privilege re Sauerwein and Fidelity communications
1/23/2013 John H. Kohler	2.1 Conferences re strategy and re response to plaintiff's summary judgment motion re tortious interference claim; research re response to same`
1/23/2013 Richard A. Wunderlich	3.0 Work on summary judgment filings and motion to compel; conference with clients re responses and strategy
1/23/2013 Steven D. Hall	9.4 Work on research and outline re response to Fidelity's motion for summary judgment; review correspondence from S. Briner; analyze index of documents removed from claims file with entries in privilege log; conference with client
1/24/2013 Richard A. Wunderlich	1.0 Work on summary judgment filings and motion to compel
1/24/2013 Steven D. Hall	8.8 Telephone conference with J. Barnes re response to summary judgment outline; review e-mail correspondence between S. Briner and R. Wunderlich; draft motion to compel, focusing on Fidelity's misconduct

1/25/2013 Steven D. Hall	8.7 Draft motion to compel, focusing on Fidelity's misconduct; research chain of communications re production of Major Claims Reports; conference re documents subject to motion to compel; review correspondence from client re motion for summary judgment
1/25/2013 Richard A. Wunderlich	1.0 Work on summary judgment filings and motion to compel
1/26/2013 Steven D. Hall	5.2 Work on motion to compel and response to plaintiff's motion for summary judgment; research courts treatment of inchoate mechanic's liens in relation to assessment of marketability damages under a title insurance policy
1/27/2013 Steven D. Hall	1.3 Work on motion to compel; work on response to plaintiff's motion for summary judgment
1/28/2013 Steven D. Hall	1.4 Work on response to motion for summary judgment; work on motion to compel
1/29/2013 Steven D. Hall	5.0 Work on response to motion for summary judgment; work on motion to compel
1/29/2013 John H. Kohler	5.6 Legal research re tortious interference with attorney/client relationship claim; compare recent CPS materials produced with CPS materials in previous productions to determine whether any materials had not been previously produced; conferences re same
1/29/2013 Richard A. Wunderlich	1.5 Work on motion to compel and response to summary judgment motion
1/30/2013 John H. Kohler	1.8 Legal research re tortious interference with attorney/client relationship claim; conference re same
1/30/2013 Steven D. Hall	5.7 Legal research re Fidelity's tortious interference arguments; work on response to motion for summary judgment
1/31/2013 Steven D. Hall	6.5 Work on response to Fidelity's motion for summary judgment; work on motion to compel
1/31/2013 John H. Kohler	3.6 Legal research re inchoate liens and claims affecting title, including tax liens, dower and mechanic's liens
2/1/2013 John H. Kohler	8.1 Research re response to motion for summary judgment; revise same; prepare exhibits; review recent discovery productions; conferences re same
2/1/2013 Steven D. Hall	8.8 Research and work on response to Fidelity's motion for summary judgment
2/1/2013 Richard A. Wunderlich	4.0 Work on response in opposition to Fidelity's motion for summary judgment
2/2/2013 Steven D. Hall	7.9 Research re effect of mechanic's liens on marketable title; work on response to Fidelity's motion for summary judgment

2/3/2013 Steven D. Hall	10.0 Research and draft response to Fidelity's motion for summary judgment; telephone conference with J. Barnes re same; exchange e-mail correspondence re same
2/4/2013 Richard A. Wunderlich	5.0 Work on opposition to Fidelity's motion for summary judgment
2/4/2013 Steven D. Hall	10.0 Work on and file motion for summary judgment; e-mail correspondence with client; review Fidelity's response to Captiva's motion for summary judgment and authorities cited therein; draft motion to exceed court's page limit; prepare exhibits for filing
2/4/2013 John H. Kohler	6.3 Research re response to motion for summary judgment; revise same; prepare exhibits and review recent discovery productions; conferences re same; review plaintiff's response to motion for summary judgment
2/5/2013 John H. Kohler	3.3 Review January 7 and January 18 productions; review file re documents supporting motion to compel
2/5/2013 Richard A. Wunderlich	3.1 Review filings of Fidelity; work on motion to compel
2/5/2013 Steven D. Hall	10.0 Telephone conference with D. Stegmann re Fidelity's response to motion for summary judgment; work on motion to compel; telephone conference with T. Whitledge re same; research documents to support motion to compel; review Fidelity's response to motion for summary judgment; conference re same and re motion to compel
2/6/2013 Richard A. Wunderlich	2.4 Work on motion to compel directed to Fidelity
2/6/2013 Steven D. Hall	10.0 Research and work on motion to compel; conference re same; telephone conference with T. Whitledge re affidavit
2/7/2013 Steven D. Hall	9.7 Work on and file motion to compel; draft motion to exceed court's page limit; review e-mail correspondence from client; edit Exhibit 1 to motion to compel; prepare other exhibits for filing
2/7/2013 John H. Kohler	4.3 Revise and cite check motion to compel; conferences re same
2/7/2013 Richard A. Wunderlich	2.5 Review court orders; work on motion to compel
2/8/2013 Richard A. Wunderlich	2.5 Review Fidelity filings; work on response; work on motion to compel
2/8/2013 John H. Kohler	0.1 Review plaintiff's motion for an extension of time to file
2/8/2013 Steven D. Hall	7.7 Review Fidelity's response to motion for summary judgment and authorities cited therein; research, outline and draft reply brief in support of motion for summary judgment; telephone conference with J. Davis

2/9/2013 Steven D. Hall	8.6 Research and work on reply brief in support of motion for summary judgment
2/10/2013 Steven D. Hall	8.1 Work on reply in support of motion for summary judgment
2/11/2013 John H. Kohler	2.3 Revise reply in support of motion for summary judgment; legal research re same; cite check same; review court order `
2/11/2013 Steven D. Hall	6.9 Work on reply brief in support of motion for summary judgment; telephone conferences with client and J. Barnes re same
2/12/2013 John H. Kohler	0.2 Conference re discovery lien waivers and subordination agreement
2/12/2013 Steven D. Hall	2.8 Review documents for possible production; research re lien waivers and subordination agreement; review documents produced by Fidelity
2/21/2013 Steven D. Hall	1.2 Review Fidelity's opposition brief to motion to compel and authorities cited therein
2/22/2013 Richard A. Wunderlich	0.8 Review Fidelity's memorandum in opposition to motion to compel; work on reply memorandum in support of motion to compel
2/22/2013 Steven D. Hall	2.3 Review Fidelity's response to motion to compel and authorities cited therein; conference re the same; telephone conference with T. Whitledge re the same
2/25/2013 Richard A. Wunderlich	0.8 E-mail correspondence with S. Briner; review documents and information; work on reply in support of motion to compel
2/25/2013 Steven D. Hall	0.3 Work on reply brief in support of motion to compel
2/26/2013 Steven D. Hall	10.0 Telephone conference with T. Whitledge; work on reply brief in support of motion to compel and revised exhibit one; e-mail correspondence to and from client re same; telephone conferences with client re same; e-mail correspondence to and from S. Briner clarifying assertions made in response brief
2/27/2013 Steven D. Hall	13.8 Telephone conferences with T. Whitledge; work on reply brief in support of motion to compel and revised exhibit one; e-mail correspondence to and from client re same; telephone conferences with client re same; conference re brief and re specific documents to request re explanations appearing in Fidelity's response
2/27/2013 Richard A. Wunderlich	1.5 Work on reply in support of motion to compel
2/27/2013 John H. Kohler	3.5 Review and revise reply to Fidelity's Response to Captiva's motion to compel; conferences re same; research re Fidelity's potential waiver of work product privilege based on arguments made by Fidelity in response to motion to compel

2/28/2013 Steven D. Hall	9.5 Telephone conferences with D. Stegmann; work on reply brief; file reply brief in support of motion to compel; e-mail correspondence to and from client re same; conference re brief
2/28/2013 Richard A. Wunderlich	4.0 Work on reply in support of motion to compel
2/28/2013 John H. Kohler	4.2 Review and revise reply to Fidelity's response to Captiva's motion to compel; conferences re same; cite check re same
3/1/2013 Steven D. Hall	0.8 Review e-mail correspondence from S. Briner; research concern expressed by the same; e-mail correspondence re same; work on brief
3/4/2013 Steven D. Hall	0.8 Research how court characterized communications between Fidelity and J. Levitch; research any pre-trial disclosures possibly implicating an advice of counsel defense
3/4/2013 Richard A. Wunderlich	0.4 Work on discovery issues; review correspondence from S. Briner and document issues
3/7/2013 Steven D. Hall	0.5 Review plaintiff's sur-reply brief, including authorities cited therein; review supporting exhibits and motion for oral argument re defendant's motion to compel; review e-mail correspondence re same
3/8/2013 John H. Kohler	2.1 Review Fidelity's sur-reply and attached affidavit; review Rini affidavit and Whitledge affidavit; draft sur-sur-reply and motion for leave to file same; review D. Stegmann e-mail correspondence re sur-reply; conferences re same
3/8/2013 Steven D. Hall	0.4 Review motion for leave; review sur-sur reply brief; review e-mail correspondence re same
3/11/2013 Steven D. Hall	0.3 Review court orders and sur-reply; research re motions in limine not likely to be affected by a ruling on the motions for summary judgment
3/11/2013 John H. Kohler	0.1 Review Judge Jackson's order granting motion to file sur-sur-reply; revise same for filing
3/11/2013 Richard A. Wunderlich	0.9 Review sur-reply of Fidelity; work on sur-sur reply and motion; telephone conference with clients
3/14/2013 Richard A. Wunderlich	0.3 Review Order re hearing on motion to appoint T. Whitledge; e-mail correspondence with client
3/14/2013 Steven D. Hall	0.2 Review trial court's order to reconcile same with previously-entered order
3/15/2013 Steven D. Hall	0.4 Review court's order; conference re presentation at oral argument; prepare outline re same
3/18/2013 Steven D. Hall	2.3 Telephone conference with T. Whitledge re hearing on his potential appointment; outline

	presentation to be made at oral argument re Whitledge's potential appointment to inspect Fidelity's computer systems
3/19/2013 Steven D. Hall	3.3 Work on presentation for oral argument re need to appoint W. Whitledge to inspect Fidelity's computer systems; conference re same; telephone conferences with W. Whitledge re appearing at hearing
3/20/2013 Steven D. Hall	3.8 Work on presentation and demonstrative aides to be used at oral argument re issue of appointment of W. Whitledge to inspect plaintiff's computer systems; telephone conferences with W. Whitledge re same
3/20/2013 Richard A. Wunderlich	3.5 Conference call with T. Whitledge re hearing on motion to appoint him to audit computer systems; review information from T. Whitledge; e-mail correspondence with S. Briner re hearing date; work on outline for hearing; review memorandum and exhibits filed
3/21/2013 Steven D. Hall	2.3 Review Fidelity's continuance motion; conference re same; work on presentation and demonstrative aides for oral argument on Captiva's motion to compel
3/22/2013 Steven D. Hall	3.1 Telephone conference with T. Whitledge re hearing; work on presentation for oral argument on Captiva's motion to compel
3/25/2013 Steven D. Hall	0.7 Work on presentation in support of motion to compel
3/26/2013 Steven D. Hall	0.8 Research re damages
3/27/2013 Steven D. Hall	3.5 Analyze plaintiff's motions in limine and authorities cited therein relating to damages; outline response
3/28/2013 Richard A. Wunderlich	0.3 Work on timeline chart
4/2/2013 Steven D. Hall	3.0 Work on demonstrative aides for oral argument on motion to compel; legal research re evidentiary issues relating to damages
4/3/2013 Steven D. Hall	3.3 Prepare demonstrative aides for hearing on motion to compel; review Fidelity's motions in limine re damages; review authorities cited therein
4/4/2013 Steven D. Hall	0.1 Telephone conference with T. Whitledge re hearing; prepare outline of oral argument presentation
4/5/2013 Steven D. Hall	3.4 Prepare presentation for oral argument on motion to compel; research evidentiary issues relating to damages
4/8/2013 Steven D. Hall	1.6 Research evidentiary issues re damages as stated by Fidelity in its pre-trial filings
4/9/2013 Steven D. Hall	2.6 Research evidentiary issues re damages as stated by Fidelity in its pre-trial filings

4/10/2013 Steven D. Hall	0.3 Work on presentation for oral argument on motion to compel
4/11/2013 Steven D. Hall	6.8 Work on presentation for oral argument re motion to compel; telephone conference with T. Whitledge re possible testimony and other hearing-related matters; research and outline responses to Fidelity's motions in limine
4/12/2013 Steven D. Hall	6.3 Work on PowerPoint presentation for oral argument re motion to compel; research and outline responses to Fidelity's motions in limine; prepare summary of motions in limine
4/12/2013 Richard A. Wunderlich	3.0 Work on outline for hearing on appointment of computer expert; work on PowerPoint presentation
4/15/2013 Steven D. Hall	3.6 Prepare summaries of motions in limine; edit oral argument presentation; conference re same; research re potential responses to motions in limine
4/16/2013 Steven D. Hall	2.3 Research re issues implicated by motion to compel; research re responses to motions in limine
4/17/2013 Steven D. Hall	2.9 Research re responses to motions in limine; research re recent case law addressing vexatious refusal; conference re presentation for oral argument
4/18/2013 Richard A. Wunderlich	4.5 Prepare for hearing on motion to appoint T. Whitledge; conference with clients re motion hearing and issues
4/18/2013 Steven D. Hall	6.1 Work on presentation for oral argument; conference with client re same
4/18/2013 John H. Kohler	0.6 Review Fidelity's motions in limine
4/19/2013 Bridget A. Walton	0.5 Prepare exhibits for upcoming hearing
4/19/2013 Steven D. Hall	6.2 Telephone conference with T. Whitledge and client re hearing; edit presentation re hearing on motion to compel; edit timeline of key events
4/19/2013 Richard A. Wunderlich	2.5 Review motions; work on presentation for hearing
4/20/2013 Steven D. Hall	0.8 Edit presentation re oral argument on motion to compel
4/21/2013 Steven D. Hall	0.3 Edit presentation re oral argument on motion to compel; conference re same
4/22/2013 Steven D. Hall	8.5 Edit presentation for oral argument re motion to compel; conference with client re same; prepare for court appearance re same
4/22/2013 Richard A. Wunderlich	4.0 Prepare for hearing on appointment of T. Whitledge; revise visual aide presentation; conference with clients, J. Barnes and T.

	Whitledge in preparation for hearing on Motion to Appoint T. Whitledge; review Court Order re denial of motions for summary judgment
4/22/2013 John H. Kohler	0.5 Review discovery production; prepare documents for hearing; review Court's Order denying summary judgment
4/23/2013 Steven D. Hall	8.1 Prepare for court appearance re motion to compel; court appearance re motion to compel; conference with client re same; review Court's summary judgment order; e-mail correspondence and telephone conferences with expert witnesses to inform that Court re-set current trial date
4/23/2013 Richard A. Wunderlich	6.0 Prepare for hearing on appointment of T. Whitledge, conference with T. Whitledge; court appearance on motion; conference with clients; review Court Orders and Opinion on Motion for Summary Judgment
4/24/2013 Steven D. Hall	2.8 Conference re Court's Order on summary judgment motions; review Court's summary judgment Order and authorities cited therein; research re fully funded nature of underlying loan; research re possible amendment to pleadings; review Court Order
4/24/2013 Richard A. Wunderlich	0.6 Telephone conference with D. Stegmann re discovery issues; work on correspondence to S. Briner re discovery matters
4/26/2013 Richard A. Wunderlich	0.5 Review T. Whitledge proposal
4/26/2013 Steven D. Hall	0.4 Review e-mail correspondence from T. Whitledge, including proposed search protocols
4/29/2013 Steven D. Hall	1.7 Telephone conferences with T. Whitledge re search protocols; review and make suggestions re same; telephone conference with client re same; e-mail correspondence to Fidelity's counsel re same; correspondence to S. Briner re discovery
4/29/2013 Richard A. Wunderlich	0.8 Review outline proposal from T. Whitledge; telephone conference with T. Whitledge; telephone conference with clients re outline
4/30/2013 Steven D. Hall	0.4 Revise correspondence to S. Briner re discovery; telephone conferences with J. Barnes and clients re same
4/30/2013 Richard A. Wunderlich	0.9 Work on correspondence to S. Briner re discovery issues and claims file; e-mail correspondence with S. Briner and T. Fritzlen re conference to discuss electronic systems investigation; telephone conference with D. Stegmann and B. Stegmann
4/30/2013 Carine M. Doyle	2.5 Review outline re computer search and conference re same
5/10/2013 Steven D. Hall	0.4 Telephone conference with T. Whitledge re discovery issues; review correspondence and draft investigative protocols from S. Briner

5/10/2013 Richard A. Wunderlich	0.6 E-mail correspondence with S. Briner re Whitledge proposal; review proposal from Fidelity re inspection; e-mail correspondence with T. Whitledge and clients
5/10/2013 Carine M. Doyle	1.5 Review amended search agreement
5/13/2013 Steven D. Hall	1.4 Telephone conference with T. Whitledge; telephone conference with T. Whitledge and client re Fidelity's proposed investigative protocols; review proposed protocols; review background of those persons proposed by Fidelity to facilitate the inspection of Fidelity's computer system
5/13/2013 Richard A. Wunderlich	1.2 Review Protocol for Examination received from S. Briner; telephone conference with T. Whitledge, D. Stegmann, B. Stegmann and J. Davis
5/14/2013 Steven D. Hall	0.2 Locate information requested by T. Whitledge; e-mail correspondence to and from T Whitledge re same
5/15/2013 Steven D. Hall	1.7 Telephone conference with T. Whitledge re proposed protocols to inspect Fidelity's computer system; telephone conference with B. Stegmann; review and edit T. Whitledge's proposed protocols; review materials from client
5/15/2013 Richard A. Wunderlich	0.6 Telephone conference with T. Whitledge re status of response to proposal from S. Briner
5/16/2013 Richard A. Wunderlich	1.0 Review revised Protocol and correspondence from T. Whitledge; e-mail correspondence with S.Briner and T. Fritzlen; e-mail correspondence with client representatives; telephone conference with D. Stegmann
5/16/2013 Steven D. Hall	5.6 Telephone conferences with T. Whitledge re proposed protocols for accessing Fidelity's computer systems; review same; conference re same; edit correspondence to S. Briner re same; review research materials received from client
5/20/2013 Steven D. Hall	1.5 Telephone conference with T. Whitledge re Fidelity's response to his revised protocols; draft report and proposed order re protocols; review correspondence from S. Briner re questions re protocols and proposed changes
5/21/2013 Steven D. Hall	2.4 Draft report to court concerning protocols to be used by T. Whitledge in accessing and inspecting Fidelity's computer system; draft proposed order for court to enter establishing the controlling nature of the protocols; review correspondence from S. Briner and proposed changes to search protocols; conference re same; research re damage issues implicated by Fidelity's motions in limine
5/21/2013 Richard A. Wunderlich	1.2 E-mail correspondence with S. Briner; e-mail

	correspondence with T. Whitledge; telephone conference with T. Whitledge
5/22/2013 Steven D. Hall	3.4 Research to assist in preparing responses to Fidelity's motions in limine concerning damages; telephone conferences with T. Whitledge re response to Fidelity's proposed changes to search protocols; review revised protocols and Whitledge correspondence re same; review correspondence from S. Briner re same
5/22/2013 Richard A. Wunderlich	3.2 E-mail correspondence with S. Briner re Inspection Protocol; review proposed changes; e-mail correspondence with T. Whitledge re proposed changes and response; telephone conferences with T. Whitledge; review T. Whitledge response; telephone conferences with D. Stegmann; e-mail correspondence with clients
5/23/2013 Richard A. Wunderlich	4.5 E-mail correspondence with clients; telephone conference with T. Whitledge; work on protective order; telephone conferences with S. Briner re Protocol and proposed changes and issues re IP addresses; e-mail correspondence with S. Briner; e-mail correspondence with clients; telephone conferences with clients
5/23/2013 Steven D. Hall	6.1 Telephone conference with T. Whitledge re Fidelity's proposed changes to protocols; review same; review proposed protective order and acknowledgement; edit same; conference re same; telephone conference with S. Briner re protocols; e-mail correspondence to and from S. Briner re protocols
5/24/2013 Steven D. Hall	3.5 Telephone conference with T. Whitledge; edit protective order; draft motion for entry of protective order; edit report concerning T. Whitledge appointment and proposed order; conference re same; telephone conference with S. Briner re protective order; e-mail correspondence to court re proposed orders; e-mail correspondence to client
5/24/2013 Richard A. Wunderlich	0.9 Work on Report re Inspection of Computer System; telephone conference with S. Briner re Motion, Report and Protocol
5/28/2013 Steven D. Hall	2.2 Review court orders; conference re same; e-mail correspondence to client and T. Whitledge re same; research re 11/13/12 scheduling order and deadlines; conference re same; e-mail correspondence to and from B. Stegmann re discovery issues; conference re same; research re damages to be included in responses to Fidelity's motions in limine
5/28/2013 Richard A. Wunderlich	0.5 Review Orders re inspection by T. Whitledge; work on information to be provided to T. Whitledge
5/29/2013 Richard A. Wunderlich	1.0 Work on information to be provided to T. Whitledge re inspection; telephone conference with D. Stegmann

5/29/2013 Steven D. Hall	0.6 Telephone conference with court clerk re 11/13/12 order and deadlines; conference re same; draft correspondence to S. Briner re production of claims file and other unproduced documents; review motion to stay in underlying case; edit list of persons who could be implicated by execution of protocols
5/30/2013 Richard A. Wunderlich	0.6 Review correspondence from S. Briner; telephone conference with B. Stegmann re correspondence; review documents produced
5/31/2013 Richard A. Wunderlich	0.4 Review correspondence from S. Briner re discovery issues
6/3/2013 Steven D. Hall	5.5 Telephone conference with T. Whitledge; review appellate order in underlying case; research re damages to counter arguments made in Fidelity's motions in limine; e-mail correspondence to and from client; prepare background materials for T. Whitledge; review supplemental production of documents from Fidelity
6/3/2013 Richard A. Wunderlich	1.5 Telephone conference with T. Fritzlen re discovery issues and production; telephone conference with clients re same; e-mail correspondence with S. Briner; telephone conferences with T. Whitledge
6/4/2013 Richard A. Wunderlich	2.0 E-mail correspondence with D. Stegmann; e-mail correspondence with S. Briner re conference and information re Fidelity people to be involved; telephone conference with T. Whitledge; e-mail correspondence with M. Gross; review correspondence from M. Gross
6/4/2013 Steven D. Hall	3.8 Review supplemental production of documents from Fidelity; compare recently produced Major Claims Reports with previously produced Major Claims Reports; review correspondence from T. Fritzlen; prepare background materials for T. Whitledge by comparing materials to be provided with those previously provided
6/5/2013 Richard A. Wunderlich	2.7 Telephone conference with T. Whitledge re initial step in inspection process and telephone conference; telephone conference with T. Whitledge, S. Briner, and Fidelity representatives re e-mail information for inspection; telephone conference with clients re status of call with T. Whitledge and Fidelity representatives
6/5/2013 Steven D. Hall	3.8 Prepare background materials for T. Whitledge; telephone conferences with T. Whitledge; draft correspondence to M. Blanchard, W. Sauerwein, T. Bond, W. Simpson, and C. Detring re status of trial; telephone conference with M. Blanchard re trial; draft timeline for use by T. Whitledge; telephone conference with Fidelity re Whitledge inspection

6/6/2013 Steven D. Hall	1.8 Review correspondence from M. Gross; research re spoliation of evidence
6/7/2013 Steven D. Hall	2.0 Prepare background materials for T. Whitledge; research re spoliation of evidence
6/10/2013 Steven D. Hall	1.4 Review transcript of April 23 hearing for possible use in upcoming motions; research re insurer's liberty to defend a claim until the end and effect on accumulating damages during such ongoing litigation
6/11/2013 Steven D. Hall	2.9 Review correspondence from S. Briner; review documents produced; telephone conference with T. Whitledge re incomplete documents produced on May 28, 2013
6/11/2013 Richard A. Wunderlich	0.5 E-mail correspondence with client; e-mail correspondence with T. Whitledge re information re inspection; review information from S. Briner
6/12/2013 Steven D. Hall	0.3 Review information re Fidelity's computer systems; conference re same; review e-mail correspondence re same
6/13/2013 Steven D. Hall	1.1 Review correspondence from S. Briner; review records re document retention and litigation holds
6/14/2013 Richard A. Wunderlich	0.6 Telephone conference with T. Whitledge; review e-mail correspondence with S. Briner; review e-mail correspondence with T. Whitledge
6/17/2013 Steven D. Hall	3.2 Telephone conferences with T. Whitledge; analyze documentation re Fidelity's computer system; draft e-mail correspondence to be sent to S. Briner re same
6/17/2013 Richard A. Wunderlich	2.5 Telephone conferences with T. Whitledge re inspection issues; telephone conference with D. Stegmann; review correspondence with S. Briner; work on response to S. Briner
6/18/2013 Steven D. Hall	0.3 Review correspondence from S. Briner re protocols; review correspondence from clients re same; review research re proposed responses to Fidelity's motions in limine
6/18/2013 Richard A. Wunderlich	2.9 E-mail correspondence with S. Briner re compliance with Protocol Order; e-mail correspondence with T. Whitledge; e-mail correspondence with clients; work on response to S. Briner
6/19/2013 Richard A. Wunderlich	0.9 Review transcript of hearing on appointment of T. Whitledge; review communications from T. Whitledge and S. Briner
6/19/2013 Steven D. Hall	3.0 Telephone conferences with T. Whitledge re response to S. Briner's correspondence and contact from S. Miller and A. Williams; review court transcript from April 23, 2013 hearing; e-mail correspondence re same
6/20/2013 Steven D. Hall	5.4 E-mail correspondence to client; telephone

	conference with T. Whitledge re S. Miller and A. Williams; telephone conferences with client re same; research re spoliation of evidence and presenting evidence of insurer's bad faith
6/20/2013 Richard A. Wunderlich	3.5 E-mail correspondence with S. Briner re inspection issues and retained consultant, Stevens Miller; telephone conference with T. Whitledge; e-mail correspondence with B. Stegmann; review documentation and information provided; review e-mail correspondence from S. Miller
6/21/2013 Steven D. Hall	5.2 Research re spoliation of evidence; draft e-mail memorandum summarizing research re same; prepare for meeting with T. Whitledge re legal issues in case
6/21/2013 Richard A. Wunderlich	3.2 Review correspondence from S. Briner concerning computer inspection; telephone conference with T. Whitledge; work on e-mail correspondence with S. Briner; review research re spoliation instructions and sanctions for destruction of documents
6/24/2013 Steven D. Hall	3.8 Prepare for and participate in telephone conferences with T. Whitledge re legal context of Captiva's claims and how case is currently postured; prepare for telephone conference with T. Whitledge re factual matters implicated by Captiva's claim; research re addressing issues addressed by the court re order denying motions for summary judgment; review legal hold materials provided by Fidelity
6/24/2013 Richard A. Wunderlich	2.7 Telephone conference with T. Whitledge re inspection issues and information re case; work on correspondence to S. Briner; e-mail correspondence with clients
6/25/2013 Richard A. Wunderlich	3.0 Review inspection information produced; work on trial issues and preparation of witness information; review deposition of M. Dickhute re information for inspections
6/26/2013 Richard A. Wunderlich	1.8 Telephone conference with B. Stegmann and T. Whitledge re inspection terms, scope and information
6/26/2013 Steven D. Hall	3.0 Prepare for and participate in telephone conference with T. Whitledge re execution of protocol; conference with client re same; review and organize materials provided by Fidelity concerning its computer systems
6/28/2013 Steven D. Hall	0.8 E-mail correspondence to and from client re underlying case; review motion filed in underlying case; prepare additional materials for T. Whitledge; research re damage issues
7/1/2013 Richard A. Wunderlich	0.3 E-mail correspondence with B. Stegmann; telephone conference with D. Stegmann; review Order re additional time to file brief
7/1/2013 Steven D. Hall	3.5 Research re underlying case; review materials

	from client; prepare binders with court's orders and system data information received from Fidelity; telephone conference with T. Whitledge; draft e-mail correspondence summary re same; prepare for conference re research
7/2/2013 Richard A. Wunderlich	0.3 Review information from client re employees of Fidelity; telephone conference with B. Stegmann re case
7/2/2013 Steven D. Hall	0.3 Conference re contacting E. Lighthall; research re R. McHargue
7/3/2013 Steven D. Hall	0.4 Research re underlying litigation; e-mail correspondence to client re same; review chart of Fidelity employees and job descriptions
7/3/2013 Richard A. Wunderlich	0.4 Review memorandum of lien holders re extension of time; review client information
7/8/2013 Steven D. Hall	0.3 Review e-mail correspondence between the parties re search protocols
7/9/2013 Richard A. Wunderlich	0.8 Review information from S. Briner; e-mail correspondence with clients
7/10/2013 Steven D. Hall	2.9 Review and organize information re Fidelity's computer systems
7/10/2013 Richard A. Wunderlich	0.5 Telephone conference with M. Gross; telephone conference with B. Stegmann and J. Davis
7/11/2013 Steven D. Hall	1.2 Telephone conference with T. Whitledge; research re questions expressed by T. Whitledge
7/12/2013 Steven D. Hall	2.8 Research answers to question posed by T. Whitledge; telephone conference with T. Whitledge and client; review documents produced; review correspondence from S. Miller; conference re same
7/12/2013 Richard A. Wunderlich	1.3 Telephone conference with T. Whitledge, B. Stegmann and S. Hall re information and inspection; review documents and correspondence; review information from M. Rini
7/15/2013 Richard A. Wunderlich	1.8 Telephone conference with T. Whitledge re inspection issues; review information re spoliation of evidence instruction and prior litigation involving Fidelity in failing to produce documents
7/15/2013 Steven D. Hall	2.0 Assemble materials re Fidelity's computer systems; telephone conference with T. Whitledge re responding to Fidelity's recent communications; review spoliation pleadings in Abengoa case; conference re same; research re R. McHargue
7/16/2013 Steven D. Hall	0.8 Telephone conference with T. Whitledge re protocols; e-mail correspondence to client re same; telephone conference with client re same; legal research re damages

7/17/2013 Richard A. Wunderlich	0.6 Telephone conference with T. Whitledge re correspondence with S. Briner
7/17/2013 Richard A. Wunderlich	1.8 Telephone conference with B. Stegmann; work on inspection issues; review correspondence and documents; telephone conference with M. Gross re appeal; telephone conference with D. Stegmann
7/17/2013 Steven D. Hall	1.1 Telephone conference with T. Whitledge re CPS; conference re damage issues; legal research re same
7/18/2013 Steven D. Hall	1.1 Telephone conferences with client and T. Whitledge re discovery; review correspondence from G. Dawley to J. Davis; review correspondence from T. Whitledge to S. Briner; research re damages
7/18/2013 Richard A. Wunderlich	1.6 E-mail correspondence with J. Davis re correspondence from G. Dawley; telephone conference with J. Davis and B. Stegmann; telephone conference with D. Stegmann; telephone conference with M. Gross re communications; telephone conference with T. Whitledge
7/19/2013 Richard A. Wunderlich	0.8 Telephone conferences with D. Stegmann; review correspondence from Fidelity; work on response; review correspondence from T. Whitledge
7/19/2013 Steven D. Hall	2.3 Telephone conference with T. Whitledge re correspondence to S. Briner; conference re court-ordered report; legal research re damages; review correspondence from T. Whitledge to S. Briner; legal research re chances of success of appeal in underlying case
7/21/2013 Steven D. Hall	0.4 Research re evidence showing lack of merit in appealing underlying mechanic's lien cases
7/23/2013 Steven D. Hall	0.5 Research re latest appellate filing by M. Gross; review same; telephone conference with D. Stegmann re same
7/26/2013 Steven D. Hall	0.6 Review correspondence from S. Briner re T. Whitledge's inspection; telephone conferences with B. Stegmann re same
7/26/2013 Richard A. Wunderlich	0.4 Review correspondence from S. Briner; telephone conference with D. Stegmann
7/29/2013 Steven D. Hall	0.3 Conferences re status report of T. Whitledge
7/30/2013 Steven D. Hall	3.3 Review recent correspondence between T. Whitledge and Fidelity; prepare for and participate in conference with client re search protocols and case strategy; conference call with T. Whitledge re status report; research re Howard Investments lawsuit
7/30/2013 Richard A. Wunderlich	3.0 Telephone conference with T. Whitledge re inspection status and issues; conference with

	clients; work on correspondence to G. Dawley
7/31/2013 Richard A. Wunderlich	1.8 Conference with T. Whitledge re report and inspection issues; telephone conference with J. Davis
7/31/2013 Steven D. Hall	2.3 Telephone conferences with T. Whitledge re status report; research re ascertainment for statements contained in report; telephone conferences with J. Davis re same and re S. Dallman deposition; telephone conference with J. Barnes re search protocol
8/1/2013 Steven D. Hall	4.8 Telephone conferences with T. Whitledge re status report; review same; file same with court; conference re damages; review research re same
8/1/2013 Richard A. Wunderlich	1.0 Telephone conference with T. Whitledge re status report; review status report
8/3/2013 Steven D. Hall	0.3 Legal research re S. Dallman's testimony re purpose of NCB loan
8/6/2013 Steven D. Hall	1.3 Review plaintiff's response to Whitledge status report; research statements made therein; telephone conferences with client and T. Whitledge re same
8/7/2013 Steven D. Hall	0.5 Telephone conferences with D. Stegmann and T. Whitledge re Whitledge status report
8/8/2013 Steven D. Hall	6.7 Analyze Fidelity's response to Whitledge status report and exhibits thereto; research various failures of plaintiff to comply with court orders and discovery rules; telephone conferences with T. Whitledge and client; draft motions for leave to file report and memorandum; draft reply to plaintiff's response to Whitledge report
8/8/2013 Richard A. Wunderlich	0.9 Telephone conference with T. Whitledge re report; telephone conference with clients
8/9/2013 Richard A. Wunderlich	1.5 Telephone conference with T. Whitledge re supplemental report to S. Briner response to report; work on reply to memorandum of Fidelity re T. Whitledge report; work on correspondence re demand of Fidelity to instruct M. Gross to pursue appeal raising issues re priority
8/9/2013 Steven D. Hall	5.7 Telephone conferences with T. Whitledge re supplemental status report; review same; draft and file memorandum re non-event motion in responding to assertions made by Fidelity's response to T. Whitledge's initial report; telephone conferences with client re same; research issues of concern to T. Whitledge; correspondence to G. Dawley re appeal
8/12/2013 Richard A. Wunderlich	3.5 Work on correspondence to G. Dawley re appeal issues and alleged interference; review documents and discovery productions
8/12/2013 Steven D. Hall	4.1 Research affecting correspondence to G. Dawley and M. Gross; revise correspondence to G.

	Dawley and T. Fritzlen; telephone conference with D. Stegmann re same
8/13/2013 Steven D. Hall	3.7 Telephone conference with T. Whitledge re need for more information; edit correspondence to G. Dawley; research re same
8/13/2013 Richard A. Wunderlich	1.5 Correspondence to G. Dawley and T. Fritzlen; e-mail correspondence with clients re correspondence; review discovery productions and correspondence with Fidelity; review information re inspection and requests by T. Whitledge
8/14/2013 Richard A. Wunderlich	0.3 Telephone conference with T. Whitledge re request for information directed to S. Miller; review correspondence
8/15/2013 Steven D. Hall	0.7 Review correspondence from T. Whitledge; research re damages
8/16/2013 Richard A. Wunderlich	0.2 E-mail correspondence with S. Briner re production; e-mail correspondence with clients
8/19/2013 Richard A. Wunderlich	2.0 Review correspondence from S. Briner; e-mail correspondence with clients; review supplemental document production and privilege log
8/19/2013 Steven D. Hall	0.6 Survey documents produced, privilege log and S. Briner correspondence
8/20/2013 Richard A. Wunderlich	2.9 Review documents produced by Fidelity; review correspondence from G. Dawley and S. Briner; work on responses
8/20/2013 Steven D. Hall	6.7 Analyze most-recent privilege log from Fidelity for purposes including determination of gaps in bates numbers and identification of document previously disclosed or produced; review correspondence from S. Briner, G. Dawley and client; conference re same
8/21/2013 Steven D. Hall	1.8 Analyze most-recent privilege log from Fidelity for purposes including determination of gaps in bates numbers and identification of documents previously disclosed or produced; conference re responding to G. Dawley correspondence; research re same
8/21/2013 Richard A. Wunderlich	1.4 Review documents and production from Fidelity; work on response to correspondence from S. Briner and G. Dawley; telephone conferences with D. Stegmann and B. Stegmann
8/22/2013 Steven D. Hall	2.5 Analyze most-recent privilege log for purposes including determinations of gaps in bates numbers and identification of documents previously disclosed or produced; draft correspondence to S. Briner and G. Dawley
8/22/2013 Richard A. Wunderlich	0.6 Review information from J. Davis re review of recent production of documents; review documents

8/23/2013 Steven D. Hall	5.0 Research re pleadings in Butler Supply litigation; analyze potential admissions re summary judgment motion practice; correspondence to G. Dawley and S. Briner; draft memorandum to file re issues implicated by recently-produced privilege log; telephone conference with client
8/26/2013 Steven D. Hall	3.9 Telephone conferences with T. Whitledge and client re issues related to most-recent production of documents and appellate brief filed in underlying mechanic's lien litigation; review documents; prepare materials for T. Whitledge to use in upcoming inspection
8/26/2013 Richard A. Wunderlich	1.0 Review brief filed on behalf of Captiva; review correspondence from S. Miller sent to T. Whitledge
8/27/2013 Steven D. Hall	3.0 Review appellate brief filed in underlying mechanic's lien litigation; review recently produced documents; draft memorandum to file re issues with Fidelity's recently-produced privilege log; work on correspondence to S. Briner and G. Dawley re discovery and appellate issues
8/28/2013 Steven D. Hall	5.3 Telephone conference with J. Barnes re merit of appeal; telephone conference with T. Whitledge re inspection; work on correspondence to S. Briner re deficiencies in recent production; work on correspondence to G. Dawley re appeal; prepare materials for T. Whitledge's upcoming inspection
8/28/2013 Richard A. Wunderlich	0.6 Telephone conference with T. Whitledge; work on correspondence to S. Briner and G. Dawley
8/29/2013 Steven D. Hall	5.4 Telephone conference with client; draft correspondence from J. Davis to G. Dawley; work on correspondence to S. Briner; review documents; research re presentation of evidence for a bad faith claim against an insurer
8/29/2013 Richard A. Wunderlich	0.5 Telephone conference with clients re status of inspection issues and response to correspondence; work on correspondence to G. Dawley
8/30/2013 Steven D. Hall	2.0 E-mail correspondence with client; revise correspondence to G. Dawley and S. Briner; conference re the same; work on binders containing information re Fidelity's information systems
8/31/2013 Steven D. Hall	1.3 Review court's discovery-related orders; revise correspondence to S. Briner re discovery and privilege log
9/3/2013 Steven D. Hall	3.7 Telephone conference with client and T. Whitledge; research/draft correspondence to S. Briner; review systems information from Fidelity; review recently-produced documents; e-mail correspondence to client

9/3/2013 Richard A. Wunderlich	1.8 Review e-mail correspondence from T. Whitledge and information from S. Miller; correspondence to G. Dawley; correspondence to S. Briner; telephone conference with T. Whitledge; review documents produced by Fidelity
9/4/2013 Steven D. Hall	4.8 Telephone conferences with T. Whitledge and client re information systems inspection and discovery issues; revise correspondence to S. Briner re discovery; review correspondence between T. Whitledge and S. Miller re information systems inspection and protocol; review additional system documentation provided by Fidelity; research and draft inserts for affidavit(s) seeking award of attorney fees as discovery sanction
9/4/2013 Richard A. Wunderlich	1.3 Correspondence to S. Briner; telephone conference with T. Whitledge re inspection issues and information provided by S. Miller; review information from S. Miller
9/5/2013 Richard A. Wunderlich	0.4 Review e-mail correspondence with T. Whitledge; review e-mail correspondence from S. Miller
9/5/2013 Steven D. Hall	1.3 Research re bad faith needed to sustain motion for sanctions seeking recovery of attorney's fees; telephone conference with T. Whitledge re inspection
9/6/2013 Steven D. Hall	0.7 Conference re strategy; review information received from client; analyze court's orders; research re bad faith needed to sustain motion for sanctions seeking recovery of attorney's fees
9/6/2013 Richard A. Wunderlich	0.3 Review Court orders
9/9/2013 Steven D. Hall	2.0 Review documents; research basis for legal conclusions contained in S. Briner's correspondence
9/11/2013 Steven D. Hall	0.6 Review materials received from client; revise list of names to be provided to T. Whitledge
9/12/2013 Steven D. Hall	0.8 Analyze correspondence from S. Briner; conference re same
9/13/2013 Steven D. Hall	1.5 Analyze and research issues re correspondence from S. Briner, including cited legal authority; review e-mail correspondence from S. Miller
9/14/2013 Steven D. Hall	1.3 Research re what communications need to be listed on privilege log to prevent waiver of privilege; e-mail correspondence re same
9/19/2013 Steven D. Hall	1.7 Telephone conference with T. Whitledge; research concerns expressed by T. Whitledge; conference re discovery issues; draft response to S. Briner's correspondence
9/20/2013 Steven D. Hall	5.6 Correspondence to S. Briner in response to Fidelity's invitation to conduct face-to-face meeting to address discovery issues; conference

re same; research sequence of Fidelity's ongoing and various disclosures of purportedly privileged information; telephone conference with T. Whitledge re upcoming inspection of Fidelity's systems and needed supporting information; analyze Fidelity's responses to questions posed by T. Whitledge

9/23/2013 Steven D. Hall	1.2 Prepare for and participate in telephone conference with T. Whitledge; correspondence to S. Briner re request for face-to-face meeting; telephone conference with client re Whitledge inspection
9/23/2013 Richard A. Wunderlich	2.6 Telephone conference with T. Whitledge re inspection issues; work on correspondence with S. Briner; review documents and production made by Fidelity
9/24/2013 Steven D. Hall	0.5 Telephone conference with T. Whitledge; research re case developments in law relating to adverse inference instructions
9/26/2013 Steven D. Hall	1.7 Telephone conference with J. Davis re Whitledge inspection; revise correspondence to S. Briner; research re spoliation of evidence
9/26/2013 Richard A. Wunderlich	0.5 Telephone conference with T. Whitledge re inspection issues
9/27/2013 Steven D. Hall	0.5 Review correspondence exchanged between T. Whitledge and S. Miller; research re spoliation of evidence
10/1/2013 Steven D. Hall	0.7 Analyze correspondence with S. Miller to T. Whitledge; prepare materials for T. Whitledge
10/1/2013 Richard A. Wunderlich	0.2 Review correspondence from S. Stevens re inspection issues
10/2/2013 Steven D. Hall	4.2 Prepare materials for T. Whitledge in preparing for inspection; telephone conferences with T. Whitledge re inspection; review correspondence from S. Briner and research assertions made therein; draft response to S. Briner; review e-mail correspondence from T. Whitledge
10/2/2013 Richard A. Wunderlich	1.5 Review correspondence from S. Miller; review correspondence from S. Briner; e-mail correspondence with clients; telephone conferences with T. Whitledge; telephone conferences with clients re production of documents and correspondence from S. Briner; review correspondence from T. Whitledge
10/2/2013 John H. Kohler	0.2 Conference re discovery dispute re unproduced e-mail correspondence
10/3/2013 Steven D. Hall	2.0 Research and assemble materials for use by T. Whitledge; telephone conference with T. Whitledge; review correspondence from S. Briner; research re spoliation of evidence
10/7/2013 Richard A. Wunderlich	1.4 Correspondence to S. Briner re discovery production; e-mail correspondence with clients; telephone conference with clients re production

	of documents; work on correspondence to S. Briner re Fidelity's latest production and privilege logs; telephone conference with T. Whitledge re inspection
10/8/2013 Richard A. Wunderlich	1.0 Telephone conference with T. Whitledge, J. Barnes, B. Stegmann; D. Stegmann and J. Davis re status of inspection; correspondence to S. Briner
10/8/2013 Steven D. Hall	2.6 Telephone conferences with T. Whitledge and with clients; research questions posed by T. Whitledge; revise correspondence to S. Briner; work on list of search terms
10/9/2013 Richard A. Wunderlich	0.9 Correspondence to S. Briner; telephone conference with T. Whitledge
10/9/2013 Steven D. Hall	2.7 Telephone conferences with T. Whitledge; research re questions from T. Whitledge; revise correspondence to S. Briner
10/15/2013 Richard A. Wunderlich	0.2 Review status report
10/15/2013 Steven D. Hall	1.2 Telephone conferences with client and T. Whitledge; conference re same; review related correspondence; draft notice of filing of T. Whitledge report and file same with court
10/16/2013 Steven D. Hall	4.6 Telephone conferences with T. Whitledge and client; research issues posed by T. Whitledge in facilitating inspection; research re spoliation of evidence
10/16/2013 Richard A. Wunderlich	1.2 Telephone conference with T. Whitledge and clients re inspection issues; review information re inspections
10/17/2013 Steven D. Hall	5.4 Telephone conferences with T. Whitledge and clients; draft e-mail correspondence to client re same; research re questions posed by T. Whitledge; conference re litigation strategy and upcoming motion for sanctions; legal research re same
10/18/2013 Steven D. Hall	3.3 Telephone conference with T. Whitledge re report drafting and upcoming inspection activities; draft memorandum to file re notes taken during telephone conferences with T. Whitledge during inspection; telephone conference with client
10/21/2013 Steven D. Hall	1.7 Telephone conferences with T. Whitledge; telephone conferences with client re inspection and CPS data; e-mail correspondence to and from client re same
10/21/2013 Richard A. Wunderlich	0.7 Telephone conference with T. Whitledge re status of inspection issues and report
10/22/2013 Richard A. Wunderlich	2.0 Conference with clients re strategy and preparation for trial; review documents and information produced by Fidelity
10/22/2013 Steven D. Hall	7.5 Attend conference with clients; work on motion(s) for sanctions, to compel and for

adverse inference instruction; work on grouping documents supporting various themes, including claim denial, scope of representation, and representations re who M. Blanchard represented; research re possible addition of fraud claim against Fidelity

10/23/2013 Steven D. Hall	7.2 Work on grouping documents supporting various themes, including claim denial, scope of representation, and representations re who M. Blanchard represented; research re possible addition of fraud claim against Fidelity; draft research memorandum re same; research re what insurer must tell insured when reservation of rights defense is offered
10/23/2013 Richard A. Wunderlich	1.5 Trial preparation; review documents and information produced by Fidelity
10/24/2013 Richard A. Wunderlich	2.5 Review information re discovery disputes and preparation for conference with attorneys
10/24/2013 Steven D. Hall	7.2 Prepare for with S. Briner and T. Fritzlen re discovery issues; telephone conference with T. Whitledge; review various affidavits filed with court to adduce possible incorrect representations; research re possible fraud claim and draft research memorandum re same; research and review filings in underlying mechanic's lien litigation; e-mail correspondence to client re same
10/25/2013 Steven D. Hall	4.3 Prepare for conference with S. Briner and T. Fritzlen re discovery issues; review various affidavits filed with court to adduce possible incorrect representations; research re possible fraud claim and draft research memorandum re same
10/26/2013 Steven D. Hall	2.0 Research re fraud-crime exception to claims of privilege; research re fraud claims by insured against insurer and how those claims have been sustained or not
10/28/2013 Steven D. Hall	4.9 Review communication exchanges between Lewis Rice and S. Briner re discovery issues; conference re same; research re possible fraud claim; index key documents by theme for use at trial
10/29/2013 Richard A. Wunderlich	4.0 Conference with T. Fritzlen and S. Briner re discovery issues; telephone conferences with clients re conferences and status; review and analyze latest privilege log
10/29/2013 Steven D. Hall	6.0 Prepare for and participate in conference with T. Fritzlen and S. Briner re discovery issues; telephone conference with client re same; telephone conferences with J. Barnes re same; research re possible fraud claim
10/30/2013 Steven D. Hall	0.2 E-mail correspondence to S. Briner re document production
10/31/2013 Steven D. Hall	2.5 Telephone conference with T. Whitledge and client re case; review correspondence from S.

	Briner; review latest privilege log; research re possible fraud claim
11/1/2013 Steven D. Hall	0.4 Review materials from client re misrepresentations made by Fidelity to the court
11/2/2013 Steven D. Hall	0.7 Review materials produced by Fidelity; review correspondence and other materials from S. Briner
11/4/2013 Steven D. Hall	7.0 Review documents; draft e-mail/memorandum to file summarizing same; compare documents produced with description of those documents appearing in previous privilege logs; research re potential fraud claim; conference re same
11/4/2013 Richard A. Wunderlich	0.3 E-mail correspondence with B. Stegmann; review information; correspondence with S. Briner; review information
11/5/2013 Richard A. Wunderlich	1.9 Review documents produced by Fidelity and privilege log; review client information
11/5/2013 Steven D. Hall	7.7 Review documents; draft e-mail/memorandum to file summarizing same; analyze "coverage" correspondence and compare with CPS entries; compare documents produced with description of those documents appearing in previous privilege logs; e-mail correspondence to S. Briner re production issues
11/6/2013 Steven D. Hall	4.5 Legal research re possible misrepresentations made by Fidelity to the court; e-mail correspondence to file summarizing same; e-mail correspondence to T. Whitledge and S. Briner
11/6/2013 Richard A. Wunderlich	2.0 Review documents and privilege log issues; review analysis of prior filings
11/7/2013 Steven D. Hall	7.3 Analyze latest privilege log and compare with previous disclosures by Fidelity re documents; review documents; exchange e-mail correspondence with S. Briner; telephone conference re same
11/7/2013 Richard A. Wunderlich	2.5 Telephone conferences with T. Whitledge re status of investigation and report issues; review documents and information produced; review correspondence with S. Briner
11/8/2013 Steven D. Hall	7.0 Analyze latest privilege log and compare with previous disclosures by Fidelity re documents; review documents; exchange e-mail correspondence with S. Briner; telephone conference with S. Briner re discovery
11/8/2013 Richard A. Wunderlich	0.3 E-mail correspondence with S. Briner
11/11/2013 Steven D. Hall	5.6 Analyze latest privilege log and compare with previous disclosures by Fidelity re documents; review documents
11/12/2013 Richard A. Wunderlich	0.6 Review documents produced by Fidelity; review

	correspondence from S. Briner
11/12/2013 Steven D. Hall	3.5 Analyze latest privilege log and compare with previous disclosures by Fidelity re documents; draft memorandum to file re same; e-mail correspondence with client
11/13/2013 Steven D. Hall	0.2 Review correspondence from and documents produced by S. Briner
11/13/2013 Richard A. Wunderlich	0.3 Review documents produced
11/14/2013 Steven D. Hall	0.8 Telephone conference with client re discovery issues; conference re same; review correspondence and documents from S. Briner
11/15/2013 Steven D. Hall	4.8 Telephone conference with T. Whitledge re status of inspection and report; e-mail correspondence to client re same; analyze correspondence from S. Briner re list of redacted documents and compare with previous representations re same documents; conference re strategy for potentially seeking additional documents; telephone conference with S. Briner; review and file T. Whitledge status report
11/15/2013 Richard A. Wunderlich	0.3 Review report of T. Whitledge; telephone conference with T. Whitledge
11/18/2013 Steven D. Hall	0.5 Telephone conference with client; analyze recent correspondence from S. Briner
11/21/2013 Steven D. Hall	0.4 Research status of mechanic's lien appeal; review associated filings; e-mail correspondence to client re same
11/22/2013 Steven D. Hall	0.3 Telephone conference with client; research status of mechanic's lien litigation
11/26/2013 Steven D. Hall	2.1 Telephone conferences with client and T. Whitledge; e-mail memorandum to file summarizing same
11/27/2013 Richard A. Wunderlich	2.0 Review documents and privilege log
12/2/2013 Richard A. Wunderlich	0.7 Review brief of Missouri Builders
12/4/2013 Steven D. Hall	2.4 Prepare for and participate in telephone conferences with T. Whitledge and client; e-mail correspondence to S. Briner re discovery issues; analyze privilege log; research re spoliation of evidence
12/4/2013 Richard A. Wunderlich	1.0 Telephone conference with T. Whitledge re inspection issues and status report; telephone conference with clients; review privilege log issues
12/5/2013 Richard A. Wunderlich	0.8 Review status of T. Whitledge report; telephone conference with T. Whitledge; telephone conference with D. Stegmann and B. Stegmann; review documents and information produced by Fidelity
12/6/2013 Richard A. Wunderlich	0.2 E-mail correspondence with T. Whitledge re status of Fidelity's production

12/9/2013 Steven D. Hall	0.3 Research status of underlying appeal
12/10/2013 Steven D. Hall	0.2 Telephone conference with client re status of discovery matters; conference re same
12/12/2013 Steven D. Hall	1.2 Telephone conference with T. Whitledge and client re inspection and discovery issues; research status of outstanding issues; conference re discovery issues; draft e-mail correspondence to client re same
12/16/2013 Steven D. Hall	0.7 Telephone conference with T. Whitledge re status report; review same; draft notice of filing; file report with court; e-mail correspondence to T. Whitledge and client re same
12/16/2013 Richard A. Wunderlich	0.2 Review status report of T. Whitledge
12/19/2013 Steven D. Hall	0.4 Research re proposed changes to Federal Rules of Civil Procedure affecting imposition of sanctions for discovery violations
1/8/2014 Steven D. Hall	0.2 Telephone conference with client re discovery; e-mail correspondence re same
1/14/2014 Steven D. Hall	0.1 Telephone conference with T. Whitledge; conference re same
1/15/2014 Steven D. Hall	2.4 Telephone conference with T. Whitledge; research re concerns; conference re same; research status of mechanic lien case; e-mail correspondence re same; review recently-filed briefs in mechanic lien appeal; draft fee affidavits for upcoming motion for sanctions
1/15/2014 Richard A. Wunderlich	1.0 Review reply brief filed; review status of briefing;
1/16/2014 Steven D. Hall	2.4 Telephone conference with clients; conference re same; research re arguable violations of protocol by Fidelity
1/17/2014 Steven D. Hall	2.1 Telephone conferences with client and T. Whitledge; e-mail correspondence with S. Briner; e-mail correspondence to client and T. Whitledge re same; work on attorney fee affidavits to be attached to upcoming motion for sanctions
1/17/2014 Richard A. Wunderlich	0.7 Telephone conference with D. Stegmann and J. Davis re status of inspection and related issues; telephone conference with T. Whitledge; review Court order re protocol and inspection; review transcript
1/20/2014 Richard A. Wunderlich	1.0 Review e-mail correspondence with client; review documents and production issue; telephone conference with T. Whitledge
1/20/2014 Steven D. Hall	0.9 E-mail correspondence to and from S. Briner re discovery issues; legal research re outstanding discovery issues; e-mail correspondence to and from client re same

1/22/2014 Richard A. Wunderlich	0.5 Conference re status of inspection issues and related matters; review correspondence with S. Briner re status of production
1/23/2014 Richard A. Wunderlich	2.0 Review research re vexatious refusal claims; trial preparation
1/23/2014 Steven D. Hall	0.5 Correspond with client re discovery issues and T. Whitledge; telephone conference with T. Whitledge
1/27/2014 Richard A. Wunderlich	0.5 Review requests from D. Stegmann re documents and information; review information to be provided to T. Whitledge
1/27/2014 Steven D. Hall	3.8 Telephone conference with S. Briner re outstanding discovery; draft memorandum to file re same; telephone conference with T. Whitledge re status of document productions; telephone conference with client re same; research re history of Fidelity's assurances with respect to document production and other discovery issues; review materials sent by client; research re the same
1/28/2014 Steven D. Hall	5.2 Review documents received from client; telephone conferences with client re same; research re attachments to e-mail correspondence and status of other outstanding discovery matters; conference re the same; telephone conference with T. Whitledge re discovery issues
1/28/2014 Richard A. Wunderlich	3.0 E-mail correspondence with clients; review documents and information re production issues; telephone conference with T. Whitledge re inspection issues and production; review documents re trial preparation
1/29/2014 Steven D. Hall	3.9 Prepare for and participate in telephone conference with T. Whitledge re discovery concerns; telephone conference with client re same; research and compare sampling of Major Claim Reports; telephone conference with S. Briner; review materials and correspondence from client
1/29/2014 Richard A. Wunderlich	3.2 Telephone conference with T. Whitledge; telephone conferences with B. Stegmann; review documents and issues for inspection; trial preparation; review documents produced
1/30/2014 Steven D. Hall	2.0 Telephone conference with S. Briner re discovery; review documents and correspondence from client; research re same
1/31/2014 Richard A. Wunderlich	1.5 Review recent case law re sanctions; trial preparation; work on issues and documentary support re vexatious refusal claim
2/6/2014 Steven D. Hall	4.6 Telephone conferences with client; prepare for and participate in telephone conference with T. Whitledge; telephone conference with S. Briner; memorandum to file re same; research re documents produced; update memorandum to file

re outstanding discovery issues

2/6/2014 Richard A. Wunderlich	2.0 Work on inspections issues; telephone conference with T. Whitledge; review documents; telephone conference with J. Davis; telephone conference with client
2/7/2014 Steven D. Hall	0.6 Telephone conference re mechanic's lien litigation; research re same; review privilege log; telephone conference with S. Briner re document production
2/8/2014 Steven D. Hall	1.3 Review documents produced by Fidelity; review and research materials from client
2/10/2014 Steven D. Hall	7.0 Review recently-produced documents; prepare for conference with clients; participate in conference with clients; compare most-recently produced privilege logs; telephone conference with T. Whitledge re discovery
2/11/2014 Steven D. Hall	4.8 Review documents and compare production with documents previously produced, including versions of similar documents; analyze privilege log
2/12/2014 Steven D. Hall	1.6 Review documents; review materials received from client; analyze privilege log
2/13/2014 Steven D. Hall	3.4 Review documents; research re recent developments in spoliation of evidence law and failure to preserve information; analyze privilege log; draft inserts for upcoming motion for sanctions
2/14/2014 Richard A. Wunderlich	1.0 E-mail correspondence re production and inspection issues; review documents
2/14/2014 Steven D. Hall	4.0 Telephone conferences with client, T. Whitledge and S. Briner re discovery issues; memorandum to file summarizing same; e-mail correspondence re same; review documents; analyze privilege log; conference re need for and use of trial consultant; work on possible presentation portions of case concerning damages
2/17/2014 Steven D. Hall	0.8 Research re status of outstanding discovery obligations; telephone conference with T. Whitledge
2/18/2014 Steven D. Hall	3.2 Telephone conferences with D. Stegmann; prepare for and participate in telephone conferences with T. Whitledge; research re discovery events; review and file Whitledge report; draft notice of filing report; review correspondence from T. Whitledge to S. Miller re discovery
2/18/2014 Richard A. Wunderlich	1.5 Telephone conference with T. Whitledge re status report and re correspondence with S. Miller; review information; review report and correspondence
2/19/2014 Steven D. Hall	0.4 Review correspondence between T. Whitledge and S. Miller re discovery; review documents

	produced
2/19/2014 Richard A. Wunderlich	0.2 Review e-mail correspondence from S. Miller to T. Whitledge re inspection issues
2/20/2014 Steven D. Hall	2.0 Research re plaintiff's arguments re limitations on Captiva's damages
2/21/2014 Steven D. Hall	3.2 Correspondence with S. Briner and client re document productions; prepare collections of documents that are organized by themes that will require presentation of evidence at trial
2/21/2014 Richard A. Wunderlich	1.5 Review documents produced
2/24/2014 Bridget G. Hoy	0.3 Work on trial consultant and trial preparation engagement
2/26/2014 Steven D. Hall	1.1 Compare documents previously produced with more recently-produced documents that appear to be identical or similar; correspondence with S. Briner and client re document production
2/28/2014 Steven D. Hall	2.8 Correspondence with S. Briner and client re document production and privilege log; communicate with T. Whitledge re discovery; research to refute plaintiff's damage arguments
2/28/2014 Richard A. Wunderlich	1.2 Review correspondence from S. Brinder; review documents
3/2/2014 Steven D. Hall	0.4 Ascertain status of oral arguments scheduled in underlying litigation; correspondence with client re same and re discovery issues; e-mail correspondence to S. Briner re privilege log
3/3/2014 Steven D. Hall	4.5 Review documents, privilege log and correspondence from S. Briner; e-mail correspondence to client re same; review materials received from client; conference re problems with Fidelity's designation of documents; conference re appellate argument
3/3/2014 Richard A. Wunderlich	1.2 Review documents; review correspondence from S. Briner; telephone conference with clients re argument in appeal of underlying case
3/4/2014 Steven D. Hall	0.9 Review documents; review materials received from client; analyze same
3/4/2014 Richard A. Wunderlich	4.0 Review documents; trial preparation; work on discovery issues
3/5/2014 Steven D. Hall	0.2 Ascertain procedural posture of underlying mechanic's liens appeal
3/6/2014 Steven D. Hall	2.0 Review documents; analyze materials provided by client; e-mail correspondence re same
3/7/2014 Steven D. Hall	2.2 Telephone conferences with client re produced documents, Whitledge inspection and mechanic's liens appeal; telephone conference with T. Whitledge re document production; review documents
3/10/2014 Steven D. Hall	0.8 Telephone conferences with T. Whitledge and

	client re discovery; analyze materials provided by client that may show nondisclosure of relevant information; review opinion of appellate court in underlying mechanic's lien litigation; e-mail correspondence to client re same
3/12/2014 Steven D. Hall	0.6 Review materials from client; telephone conference with client
3/13/2014 Steven D. Hall	0.4 Telephone conference with T. Whitledge re final report; review outstanding items in T. Whitledge's inspection; conference re trial strategy; correspondence with client re same
3/13/2014 Bridget G. Hoy	0.4 Work on trial consultant issues
3/14/2014 Steven D. Hall	0.9 Analyze privilege log to isolate documents to request and obtain; telephone conference with T. Whitledge re report; conference re trial consult presentation for client; telephone conference with client
3/17/2014 Steven D. Hall	0.3 Research re tripartite relationship between counsel, insured and insurer
3/18/2014 John H. Kohler	1.1 Legal research re admissibility of evidence re vexatious refusal claim under Missouri law
3/19/2014 John H. Kohler	0.7 Legal research re admissibility of evidence re vexatious refusal claim under Missouri law
3/19/2014 Richard A. Wunderlich	0.4 E-mail correspondence with M. Gross re application for hearing in Supreme Court; telephone conference with D. Stegmann
3/21/2014 Steven D. Hall	2.0 Telephone conference with client and T. Whitledge re discovery; analyze statement filed by S. Miller; review materials received from client
3/21/2014 Richard A. Wunderlich	1.5 Review response filed by S. Miller to T. Whitledge report; prepare for conference with T. Whitledge; telephone conference with T. Whitledge; telephone conference with clients; review privilege log entries
3/24/2014 Steven D. Hall	1.9 Correspondence to S. Briner re limitations on scope of what is disclosed in privilege log; conference re T. Whitledge report; analyze proposed misstatements made by plaintiff
3/25/2014 Bridget G. Hoy	0.6 Conference with trial consultants re client presentation
3/25/2014 Richard A. Wunderlich	0.5 Review motion for rehearing and motion to transfer to Supreme Court filed by M. Gross
3/25/2014 Steven D. Hall	1.7 Review materials received from client; analyze potential violations by plaintiff of plaintiff's own document retention and litigation hold procedures; review documents recently received; review appellate filings in underlying litigation
3/26/2014 Steven D. Hall	1.4 Prepare for strategy meeting with clients;

	gather materials and research re damages and sanctionable conduct; telephone conferences with client re same
3/27/2014 Steven D. Hall	3.0 Prepare for and attend conference with client re strategy; research file for materials supporting of upcoming motion for sanctions
3/28/2014 Steven D. Hall	0.2 Telephone conference with T. Whitledge; review e-mail correspondence from T. Fritzlen
3/31/2014 Steven D. Hall	0.6 Telephone conference with T. Whitledge; telephone conference with client; review materials received from client; research re same
4/1/2014 Steven D. Hall	1.8 Review court order in mechanic's lien appeal; telephone conference with client re same; review rules re appellate procedure; prepare for trial strategy meeting; review case materials provided by client
4/2/2014 John H. Kohler	1.5 Research re admissibility of evidence re vexatious refusal claim
4/3/2014 John H. Kohler	1.0 Research re admissibility of evidence re vexatious refusal claim
4/3/2014 Steven D. Hall	2.8 Telephone conferences with T. Whitledge; prepare for trial strategy meeting; draft and file notice of filing Whitledge correspondence; conference re same; telephone conference with client; review materials received from client
4/4/2014 Bridget A. Walton	2.2 Conference with Midwest Trial Services re courtroom technology; conference with clients re case strategy; e-mail correspondence with Midwest Trial Services re courtroom technology
4/4/2014 Steven D. Hall	4.2 Prepare for and conference with trial services vendor and client re trial preparations; review depositions designations to ensure continued applicability
4/7/2014 Steven D. Hall	0.4 Review J. Zanola report; revise correspondence to S. Briner
4/7/2014 John H. Kohler	4.2 Research re admissibility of evidence in support of vexatious refusal claim
4/8/2014 John H. Kohler	3.0 Research re admissibility of evidence in support of vexatious refusal claim; memorandum re same
4/8/2014 Steven D. Hall	4.6 Review correspondence from S. Miller; conference re same; research re previously-filed case involving Fidelity and mechanics' liens; review deposition designations for delivery to vendor
4/8/2014 Richard A. Wunderlich	0.7 E-mail correspondence with D. Stegmann; correspondence to S. Briner; review e-mail correspondence from T. Whitledge; review correspondence from S. Miller

4/9/2014 Richard A. Wunderlich	0.4 Revise correspondence from S. Miller; e-mail correspondence with D. Stegmann re same; review correspondence and information from S. Miller
4/9/2014 John H. Kohler	6.4 Research re admissibility of evidence in support of vexatious refusal claim; memorandum re same
4/9/2014 Steven D. Hall	6.0 Revise correspondence to Fidelity's counsel; research re previous correspondence; telephone conferences with client and T. Whitledge; research re vexatious refusal; research re permissibility of insurer denying coverage on basis that is different than what insurer initially identified; review e-mail correspondence between S. Miller/Fidelity and T. Whitledge
4/10/2014 Steven D. Hall	7.2 Telephone conferences with T. Whitledge and client re discovery; research re vexatious refusal; review J. Zanola's report to determine what would be used in front of jury; organize trial exhibits by topic; research re Fidelity's awareness that its basis for denying coverage was not sustainable as evidence by other cases in which Fidelity was a party; edit correspondence to S. Briner
4/10/2014 Richard A. Wunderlich	1.4 Telephone conference with T. Whitledge re inspection issues and recent correspondence from S. Miller; telephone conference with client; correspondence with S. Briner and T. Fritzlen
4/10/2014 John H. Kohler	7.8 Research re admissibility of evidence in support of vexatious refusal claim; memorandum re same
4/11/2014 Richard A. Wunderlich	1.0 Review and revise correspondence to S. Briner; telephone conference with clients; review privilege log issues
4/11/2014 Steven D. Hall	7.0 Telephone conferences with client and T. Whitledge re discovery; legal research re vexatious refusal; review protocol; conference re same; revise correspondence to S. Briner; organize trial exhibits by topic; review order on summary judgment motions and analyze effect on once-filed motions in limine
4/14/2014 Steven D. Hall	6.1 Telephone conference with T. Whitledge; revise correspondence to S. Briner; conference re same; e-mail correspondence to client; review materials from client; research potential responses to plaintiff's motions in limine that will most likely be subject to re-filing
4/14/2014 Richard A. Wunderlich	0.3 Review and revise correspondence to S. Briner; review client damage documents
4/15/2014 Steven D. Hall	5.7 Telephone conferences with T. Whitledge; prepare notice of filing and file Whitledge status report; e-mail correspondence to client re T. Whitledge; analyze summary judgment order to better identify specific trial exhibits that

will best advance Captiva position

4/15/2014 Richard A. Wunderlich	0.2 Review report of T. Whitledge
4/17/2014 Steven D. Hall	0.7 Review filings with Missouri Supreme Court in underlying mechanic's lien appeal
4/17/2014 Steven D. Hall	0.4 Review correspondence from J. Uecker and S. Briner
4/22/2014 Richard A. Wunderlich	0.9 Conference with T. Whitledge re inspection issues; telephone conference with clients re same
4/22/2014 Steven D. Hall	0.9 Telephone conference with T. Whitledge and client; conference re Whitledge inspection; correspondence to J. Uecker providing requested case update; review correspondence from client and research concern
4/23/2014 Steven D. Hall	0.7 Telephone conference with client re discovery issues and correspondence to S. Briner re same; research documents that T. Whitledge would like to inspect before conducting re-inspection
4/24/2014 Steven D. Hall	0.3 Review correspondence from client and research concerns
4/25/2014 Steven D. Hall	0.8 Telephone conference with T. Whitledge re inspection; research issues affecting inspection
4/27/2014 Steven D. Hall	0.6 Research materials for T. Whitledge inspection
4/27/2014 John H. Kohler	0.7 Review documents for T. Whitledge inspection
4/28/2014 Steven D. Hall	6.5 Telephone conferences with T. Whitledge and client re inspection; review correspondence between T. Whitledge and S. Miller and other materials exchanged; e-mail correspondence with client re Whitledge inspection; memorandum to file re inspection; telephone conference with and e-mail correspondence to S. Briner re inspection; e-mail correspondence with S. Briner
4/29/2014 Steven D. Hall	3.2 Telephone conferences with T. Whitledge re inspection; research CPS-related materials requested by T. Whitledge; telephone conferences with client re same; memorandum to file re results of Whitledge inspection
4/30/2014 Steven D. Hall	3.0 Telephone conferences with T. Whitledge and client re inspection of Fidelity's computer systems; telephone conference with S. Briner; research re production history and possible misrepresentations to court for purposes of incorporation into motion for sanctions
5/1/2014 Steven D. Hall	5.1 Telephone conferences with T. Whitledge and client; telephone conference with J. Sewell of Midwest Litigation Support; telephone conference with J. Zanola and R. Ballard re conference to prepare trial demonstrative exhibits and presentation; memorandum to file re conference with T. Whitledge; analyze

	evidence re potential misstatements by Fidelity to court and otherwise
5/2/2014 Steven D. Hall	3.0 Telephone conferences with T. Whitledge and client re inspection of Fidelity's CPS system and other related matters; organize trial exhibits by evidentiary themes; review L. Perna deposition transcript
5/5/2014 Steven D. Hall	2.0 Telephone conference with D. Stegmann; telephone conferences with T. Whitledge; analyze reserve information obtained from CPS; review materials received from client
5/6/2014 Steven D. Hall	0.7 Telephone conference with D. Stegmann re CPS; research re previously-produced CPS data
5/7/2014 Steven D. Hall	0.6 Telephone conference with D. Stegmann; research potential misrepresentations re production of CPS coverage letter
5/12/2014 Steven D. Hall	0.4 Telephone conference with T. Whitledge re report; telephone conference with S. Briner re conference re subsection (c) of privilege log
5/12/2014 Richard A. Wunderlich	0.8 Trial preparation; work on issues re inspection
5/12/2014 John M. Hessel	1.9 Conference re claims against Fidelity and calculation of damages; review pleadings; review report and deposition of expert
5/12/2014 John H. Kohler	3.0 Legal research re preclusive effect of Fidelity asserting one basis for coverage denial and later asserting different basis; memorandum summarizing same; revise memorandum re recovery of vexatious refusal damages under Missouri law; legal research re same
5/13/2014 John H. Kohler	5.5 Legal research re preclusive effect of Fidelity asserting one basis for coverage denial and later asserting different basis; draft memorandum summarizing same; revise memorandum re recovery of vexatious refusal damages under Missouri law; legal research re same
5/13/2014 John M. Hessel	4.6 Review deposition testimony of J. Zanola; review motion to exclude testimony of J. Zanola; conference with clients and expert re measure of damages; work on damages issues
5/13/2014 Richard A. Wunderlich	3.0 Trial preparation; conference with J. Davis, B. Stegmann, J. Hessel, S. Hall, J. Zanola and assistant re damages
5/13/2014 Steven D. Hall	4.5 Telephone conference with T. Whitledge re report; telephone conference with S. Briner re conference re subsection (c) of privilege log; conference re T. Whitledge and other developments in lawsuit; prepare for conference with J. Zanola by review of expert report and deposition transcript of J. Zanola; conference with J. Zanola, R. Ballard and J. Sewell of Midwest Litigation Services

	re presenting marketability findings to jury; prepare for conference with client re evidence supporting motion for sanctions; conference with client re same
5/14/2014 Steven D. Hall	2.2 Prepare for telephone conference with S. Briner and T. Fritzlen re privilege log issues; telephone conference with S. Briner and T. Fritzlen re same; telephone conference with T. Whitledge re report; telephone conference with client re discovery; analyze document productions to provide information to T. Whitledge
5/14/2014 Richard A. Wunderlich	2.7 Telephone conference with T. Fritzlen and S. Briner; work on discovery issues; trial preparation; review productions; work on exhibit list
5/14/2014 John M. Hessel	1.1 Review and analyze documents re damages
5/14/2014 John H. Kohler	5.0 Legal research preclusive effect of Fidelity asserting one basis for coverage denial and later asserting different basis; memorandum re same; revise memorandum re recovery of vexatious refusal damages under Missouri law; legal research re same
5/15/2014 Richard A. Wunderlich	3.5 Trial preparation; review documents produced by Fidelity; review information from B. Stegmann and J. Davis; work on trial themes
5/15/2014 Steven D. Hall	0.8 Analyze document production history to provide information to T. Whitledge; analyze and gather correspondence from Fidelity to Captiva; telephone conference with client re possible fraud claim
5/15/2014 John H. Kohler	4.0 Legal research re preclusive effect of Fidelity initially asserting one basis for coverage denial and later asserting different basis; draft memorandum summarizing same; revise memorandum re recovery of vexatious refusal damages under Missouri law; legal research re same`
5/16/2014 John H. Kohler	4.4 Review document productions by Fidelity for purposes of assisting with search of Fidelity's electronic data retention systems; draft summary of same
5/16/2014 Richard A. Wunderlich	3.0 Trial preparation; review documents produced by Fidelity; work on exhibit list and documents
5/16/2014 John M. Hessel	0.5 Review document re coverage
5/16/2014 Steven D. Hall	0.5 Analyze characterizations re policy and its endorsements appearing in pleadings; conference re same
5/19/2014 Steven D. Hall	4.3 Telephone conferences with T. Whitledge re report; research re entities that asserted liens; conference re history of Fidelity's document productions; review documents from client; research and prepare binder of

correspondence between Fidelity and Captiva

5/20/2014 Steven D. Hall	5.3 Research re characterizations of damages appearing in pleadings; telephone conference with client re discovery; telephone conference with S. Briner re privilege log and Major Claims Reports; research and prepare binder of correspondence between Fidelity and Captiva
5/20/2014 Richard A. Wunderlich	3.0 Trial preparation; work on organizing trial themes and damage issues
5/21/2014 Steven D. Hall	0.8 Telephone conference with client re discovery issues; review correspondence from S. Briner; research discovery issues implicated therein
5/22/2014 Steven D. Hall	5.5 Telephone conferences with client re discovery; telephone conference with T. Whitledge re report; research discovery-related issues in response to inquiries from T. Whitledge; review materials from client; analyze correspondence from S. Briner; draft response to same; research documents produced without Major Claims Report attachment
5/22/2014 Richard A. Wunderlich	1.8 Review correspondence from S. Briner; telephone conference with attorneys for Fidelity; telephone conference with clients; e-mail correspondence with B. Stegmann re issues for motion for sanctions
5/22/2014 John M. Hessel	1.2 Conference with J. Zanola; review documents re claims and damages
5/23/2014 John M. Hessel	0.4 Telephone conference with J. Zanola; review documents
5/23/2014 Steven D. Hall	1.4 Assemble exhibits for trial, including possible exhibits consisting of correspondence from Fidelity
5/27/2014 John M. Hessel	0.4 Conference re finalization of judgment on mechanic's lien; telephone conference with J. Zanola
5/28/2014 Steven D. Hall	2.1 Telephone conference with client re Whitledge report; telephone conference with T. Whitledge re report; conference re litigation issues and upcoming tasks; correspondence to S. Briner
5/29/2014 Steven D. Hall	2.0 Telephone conference with S. Briner re document production; telephone conference with D. Stegmann re discovery issues; telephone conference with T. Whitledge re report; conference re same; research changes in Major Claims Reports for inconsistencies
5/29/2014 Richard A. Wunderlich	1.9 E-mail correspondence with T. Whitledge; review attachement; review documents produced by Fidelity; review e-mail correspondence from D. Stegmann; work on motion for sanctions
5/30/2014 Richard A. Wunderlich	2.5 Telephone conference with T. Whitledge re report and status of investigation; telephone

	conference with J. Davis; review inspection information; trial preparation
5/30/2014 Steven D. Hall	3.3 Telephone conferences with T. Whitledge re report; telephone conference with client re liens and Whitledge report; analyze correspondence from S. Miller; telephone conference with S. Briner re discovery; research re Major Claims Reports; research re developments in law affecting admissibility of discovery misconduct re case in chief; correspondence to S. Briner re privilege log
6/1/2014 John M. Hessel	0.5 Review proposed agreement from Zanola; e-mail correspondence re same
6/2/2014 John M. Hessel	0.3 Review revised agreement with Zanola; e-mail correspondence re same
6/2/2014 Steven D. Hall	1.4 Telephone conferences with T. Whitledge re report and technical issues; telephone conference with client re same; review and file T. Whitledge's supplemental status report; draft notice of same; review and respond to correspondence from client re discovery and trial issues
6/4/2014 Steven D. Hall	0.3 Telephone conference with client re condition of property; research client's inquiries re same
6/5/2014 Steven D. Hall	1.9 Telephone conferences with T. Whitledge re report; research re issues affecting report
6/6/2014 Steven D. Hall	0.8 Research re adverse inference instruction;
6/9/2014 Steven D. Hall	4.1 Telephone conference with D. Stegmann; research re response to S. Briner's correspondence re privilege log; draft response to S. Briner's correspondence re same
6/9/2014 Richard A. Wunderlich	2.5 Prepare for trial
6/10/2014 Steven D. Hall	7.1 Research legal requirements for successful fee affidavit in support of motion for attorney fees; research re history of representations made re document productions and disclosure of information; research re Major Claims Reports possibly missing as attachments to e-mail correspondence
6/11/2014 Steven D. Hall	4.8 Conference with client re Fidelity's document productions and upcoming motion for sanctions; research history of document productions and production of Major Claim Reports; conference re same; telephone conference with T. Whitledge re report
6/11/2014 John H. Kohler	1.3 Review productions of May 2010 and June 2010 Major Claims Reports re reference to the date June 2010 in copy of May 2010 report
6/12/2014 Steven D. Hall	5.6 Telephone conference with T. Whitledge re report; research to ascertain facts asserted in report; telephone conference with clients re report; analyze Major Claim Reports and other documents; e-mail correspondence to

client re same; draft timeline re document productions and other representations made by Fidelity re same

6/12/2014 Richard A. Wunderlich	3.0 Telephone conference with T. Whitledge re report; telephone conference with D. Stegmann; work on discovery issues
6/13/2014 John H. Kohler	0.7 Review correspondence and report from T. Whitledge; conference re same
6/13/2014 Steven D. Hall	4.2 Telephone conferences with T. Whitledge re report; e-mail correspondence to S. Briner re privilege log; research re Major Claims Reports; research re coverage letter in CPS; correspondence to S. Briner re privilege log issues
6/13/2014 Richard A. Wunderlich	3.0 Telephone conference with T. Whitledge re report; work on correspondence to S. Briner re case; review documents produced by plaintiff
6/14/2014 Richard A. Wunderlich	0.6 Review report of T. Whitledge and correspondence
6/16/2014 Steven D. Hall	0.9 Draft notice of filing for T. Whitledge report; revise correspondence to S. Briner re privilege log issues; telephone conference with client re expert report
6/16/2014 Richard A. Wunderlich	0.8 Correspondence to S. Briner re discovery issues and privilege log; review privilege log
6/19/2014 Richard A. Wunderlich	1.2 Review privilege log issues; review documents produced; work on trial outlines and issues
6/20/2014 John M. Hessel	0.6 Telephone conference with J. Zanola re analysis and related issues; review disposition testimony to prepare for supplemental report
6/20/2014 Richard A. Wunderlich	2.5 Work on trial outlines and trial preparation
6/25/2014 Richard A. Wunderlich	0.4 Review correspondence from G. Dawley
6/27/2014 Richard A. Wunderlich	2.0 Review correspondence from S. Briner; work on response; work on trial issues; review information re payment of outstanding liens
6/30/2014 Richard A. Wunderlich	1.0 Correspondence to S. Briner; review correspondence from Fidelity; trial preparation
6/30/2014 Steven D. Hall	3.0 Draft response to S. Briner's correspondence; conference re same; telephone conferences with client re S. Briner and G. Dawley correspondence and re strategy; research re effect of Fidelity's satisfaction of mechanic's liens
7/1/2014 Richard A. Wunderlich	1.0 Correspondence to S. Briner; e-mail correspondence with D. Stegmann; telephone conference with J. Barnes; work on trial issues
7/2/2014 Richard A. Wunderlich	0.9 Revise correspondence to S. Briner re discovery issues; e-mail correspondence with S. Briner; review documents

7/2/2014 John M. Hessel	0.5 Review deposition of M. Lang and documents
7/10/2014 John H. Kohler	0.7 Conference re responding to issues raised in Fidelity's motions in limine and damages issues
7/11/2014 Richard A. Wunderlich	0.2 Review correspondence from S. Briner
7/14/2014 Richard A. Wunderlich	2.0 Trial preparation
7/16/2014 Steven D. Hall	1.0 Research re damages for inclusion in efforts to admit evidence re marketability; conference re same
7/16/2014 John H. Kohler	1.5 Conference re responding to Fidelity's motion in limine and re establishing damages
7/22/2014 Steven D. Hall	2.0 Research damages associated with unmarketability
7/25/2014 Steven D. Hall	1.3 Research damages associated with unmarketability; review correspondence from S. Briner re document production
7/28/2014 Richard A. Wunderlich	1.0 Trial preparation; work on outlines
7/30/2014 Richard A. Wunderlich	0.4 Review order setting matter for status conference
7/31/2014 Richard A. Wunderlich	2.0 Review documents
8/4/2014 Steven D. Hall	2.0 Draft memorandum to potential expert re background for formulation of possible expert testimony; review deposition transcript of R. White; legal research re damages for use drafting pre-trial motions
8/4/2014 Richard A. Wunderlich	0.7 Work on outline for potential expert; e-mail correspondence with J. Davis re release of Butler Supply lien information
8/5/2014 Richard A. Wunderlich	0.4 Work on memorandum for potential expert
8/5/2014 Steven D. Hall	1.4 Work on memorandum re potential expert testimony
8/6/2014 Richard A. Wunderlich	0.3 Work on memorandum for potential expert
8/6/2014 Steven D. Hall	1.4 Telephone conference with client re extension for responding to motion for sanctions; edit memorandum to re possible expert testimony; conference re same; correspondence to S. Briner re outstanding discovery
8/7/2014 Steven D. Hall	1.0 Work on memorandum re scope of potential expert testimony; draft e-mail correspondence to potential expert re market perceptions
8/7/2014 Richard A. Wunderlich	0.5 Work on memorandum and correspondence to potential expert witness re expert witness role
8/11/2014 Richard A. Wunderlich	0.9 Trial preparation
8/11/2014 Steven D. Hall	0.7 Conference re upcoming court hearing; communicate with T. Fritzlen re court hearing; draft suggested language for motion re same; research re damages

8/13/2014 Steven D. Hall	0.8 Telephone conference with client re unproduced documents; prepare talking points for status conference
8/14/2014 Richard A. Wunderlich	1.8 Work on discovery; trial preparation
8/18/2014 Steven D. Hall	1.2 E-mail correspondence with court clerk re status conference; draft talking points for status conference
8/18/2014 Richard A. Wunderlich	2.8 E-mail correspondence with L. Carpenter re conference with J. Jackson; trial preparation
8/19/2014 Richard A. Wunderlich	2.5 Prepare for status conference; trial preparation
8/20/2014 Steven D. Hall	1.8 Prepare for telephone conference with Judge Jackson re status conference; telephone conference with Judge Jackson re status conference; draft memorandum to file re same; telephone conferences with client re same
8/20/2014 Richard A. Wunderlich	2.5 Prepare for conference call with J. Jackson; attend conference call with J. Jackson; telephone conference with clients; trial preparation
8/21/2014 Richard A. Wunderlich	1.5 Trial preparation
9/5/2014 John M. Hessel	2.0 Review deposition of M. Lang and exhibits re Majestic Points
9/12/2014 Steven D. Hall	1.4 Research re non-disclosure agreement between parties; review e-mail correspondence and other materials received from client; telephone conferences with client re production issues; review correspondence from T. Fritzlen re production issues
9/15/2014 Steven D. Hall	0.6 Telephone conference with client re discovery; review materials received from client; conference re same
9/23/2014 Richard A. Wunderlich	2.0 Review documents produced by Fidelity and privilege log
9/23/2014 Steven D. Hall	3.0 Review recently-produced documents
9/24/2014 Richard A. Wunderlich	2.0 Review documents
9/25/2014 Richard A. Wunderlich	2.0 Review documents and production by Fidelity; e-mail correspondence with clients
9/26/2014 Steven D. Hall	1.2 Review document produced by Fidelity; analyze privilege log
9/30/2014 Richard A. Wunderlich	0.8 Work on expert issues; review Missouri case re damages in title claim; review privilege log; trial preparation
9/30/2014 Steven D. Hall	0.9 Analyze privilege log
10/1/2014 Steven D. Hall	2.6 Review documents; telephone conference with client re document production; research recent developments in Missouri case law

	addressing damages in insurance cases
10/2/2014 Steven D. Hall	2.9 Telephone conference with client re document production; research concerns re same; review correspondence from S. Briner re M. Gross; review documents; analyze privilege issues
10/6/2014 Steven D. Hall	1.4 Telephone conference with court clerk (K. Stamm) re correction of possible error in brief; review documents
10/6/2014 Richard A. Wunderlich	1.5 Trial preparation work on exhibits list; work on witness information; work on expert issue
10/7/2014 Steven D. Hall	1.1 Review documents; telephone conference with client re document production
10/8/2014 Steven D. Hall	0.9 Review documents
10/9/2014 Steven D. Hall	0.8 Review documents; research re damages in a title insurance case
10/10/2014 Richard A. Wunderlich	0.6 Work on review of document production and information from T. Whitledge
10/10/2014 Steven D. Hall	1.5 Telephone conference with client re document production; review documents; analyze privilege log; telephone conference with J. Zanola re report; research re lawful reach of a trial subpoena for testimony
10/13/2014 Richard A. Wunderlich	3.0 Review documents production; conference with clients
10/13/2014 Steven D. Hall	5.3 Prepare for and meet with client re trial strategy; research concerns expressed by client; correspondence to S. Briner re assertions of privilege; communicate with M. Toth and J. Sewell of Midwest Litigation Support re demonstrative aides for trial; review documents
10/14/2014 Steven D. Hall	1.8 Review documents; telephone conference with T. Whitledge re document production; work on technical issues in placing document production in electronic database
10/15/2014 Richard A. Wunderlich	1.0 Work on correspondence with S. Briner re production of documents and privilege log issues; review documents
10/15/2014 Steven D. Hall	2.5 Review documents; select exhibits for use at trial; correspondence to S. Briner re privilege issues; analyze privilege logs; research Fidelity's use and/or misuse of redaction
10/16/2014 Richard A. Wunderlich	0.8 Work on correspondence to S. Briner re production; review examples of redaction and documents produced; e-mail correspondence with J. Davis
10/16/2014 Steven D. Hall	4.2 Work on correspondence to S. Briner re privilege issues and other document production issues; analyze possible improper redaction and other documents concerning

	discovery; conference re the same; work on issues re uploading documents into database
10/17/2014 Steven D. Hall	2.8 Revise correspondence to S. Briner re privilege log issues and other potential discovery issues; draft correspondence to S. Briner re obtaining documents from M. Gross
10/21/2014 Steven D. Hall	0.2 Correspondence with client re press inquiry about the Majestic Pointe Development
10/27/2014 Steven D. Hall	0.3 Conference re reports of experts on damages; e-mail correspondence with J. Zanola re report
10/28/2014 Steven D. Hall	0.4 Telephone conference with J. Zanola; draft summary of conversation; review notes from meeting with J. Zanola re contents of supplemental report
10/31/2014 Richard A. Wunderlich	1.2 Trial preparation; review documents
10/31/2014 Steven D. Hall	0.4 Review correspondence and other information from client re discovery
11/3/2014 Steven D. Hall	4.0 Review documents from most-recent production from Fidelity
11/4/2014 Steven D. Hall	5.6 Review information from client re use of potential documents at trial; review documents from most-recent production from Fidelity
11/5/2014 Steven D. Hall	4.7 Review information from client re use of potential documents at trial; review documents
11/6/2014 Steven D. Hall	6.7 Review materials from client; communicate with J. Zanola re same; review list of important documents identified by client; telephone conference with client re case status; review documents
11/6/2014 Richard A. Wunderlich	0.8 E-mail correspondence with D. Stegmann; review damage information and news article; work on trial issues
11/7/2014 Steven D. Hall	4.8 Research recent developments in insured/insurer litigation; review documents
11/10/2014 Steven D. Hall	5.0 Review documents from most-recent production from Fidelity
11/11/2014 Steven D. Hall	4.3 Review documents from most-recent production from Fidelity
11/12/2014 Steven D. Hall	1.7 Telephone conference with client re litigation strategy; conference re litigation strategy, failure of M. Gross to produce requested documents, and Fidelity's failure to address discovery issues; research status of lien releases in underlying case
11/12/2014 Richard A. Wunderlich	0.2 E-mail correspondence with T. Fritzlen; e-mail correspondence with clients
11/13/2014 Steven D. Hall	2.9 Review documents and information received

	from client
11/14/2014 Steven D. Hall	3.8 Review documents; telephone conference with T. Whitledge re filtering and searching document sets
11/18/2014 Steven D. Hall	2.8 Telephone conference with J. Davis re document review; telephone conference with T. Whitledge re same; conference re trial strategy issues; review documents; research evidentiary motions
11/19/2014 Steven D. Hall	1.5 Review documents; conference re document production
11/20/2014 Steven D. Hall	6.5 Review D. Stegmann deposition for purposes of drafting response to evidentiary motion(s)
11/21/2014 Steven D. Hall	2.0 Review D. Stegmann deposition for purposes of drafting response to evidentiary motion(s)
11/24/2014 Steven D. Hall	5.6 Reivew deposition transcripts in preparing to draft responses to motions in limine that are not likely to be affected by any expected court rulings; update legal research
11/25/2014 Steven D. Hall	1.7 Review materials received from client; reivew deposition transcripts in preparing to draft responses to evidentiary motions that are not likely to be affected by any expected court rulings
12/1/2014 Steven D. Hall	4.6 Work on preparing responses to applicable evidentiary motions and trial exhibits
12/2/2014 Steven D. Hall	4.5 Telephone conference with client; review report of C. Lindquist; review deposition transcripts in preparing responses to applicable evidentiary motions; review materials received from client
12/2/2014 Richard A. Wunderlich	1.8 E-mail correspondence with J. Davis; review information from J. Davis re exhibits and documents; work on expert issue
12/3/2014 Steven D. Hall	1.3 Telephone conference with clients; conference re case status, including substitution of experts; review deposition transcripts in preparing responses to likely evidentiary motions
12/3/2014 John M. Hessel	0.4 Conference re retention of expert witness
12/3/2014 Richard A. Wunderlich	0.5 Work on discovery and privilege log issues; review documents; work on damage claim; work on expert issues
12/5/2014 Steven D. Hall	0.8 Analyze correspondence from S. Briner re document production issues and privilege log deficiencies; review previous correspondence re document productions and privilege log deficiencies
12/8/2014 Richard A. Wunderlich	1.4 E-mail correspondence with J. Davis; review information re damage claim; work on expert issue; review correspondence from S. Briner re document production and privilege logs

12/9/2014 Richard A. Wunderlich	0.6 Work on document review and trial preparation
12/10/2014 Steven D. Hall	0.5 Review document re damages; review other documents designated as important
12/12/2014 Steven D. Hall	0.5 Review e-mail correspondence from client re expert witnesses; research re same
12/16/2014 Steven D. Hall	0.8 Research re evidentiary motions
12/17/2014 Steven D. Hall	1.5 Research re evidentiary motions
12/18/2014 Steven D. Hall	5.5 E-mail correspondence with J. Uecker re case status; work on trial exhibits and responses to likely evidentiary motions; outline evidence needed to prove damages and case in chief; telephone conference with client; e-mail correspondence to S. Briner re M. Gross documents; review deposition transcripts
12/19/2014 Steven D. Hall	2.7 Telephone conference with client; work on trial exhibits and responses to likely evidentiary motions; outline evidence needed to prove damages and case in chief; research re potential candidates to serve as legal expert
12/22/2014 Steven D. Hall	4.1 Legal research re responses to likely evidentiary motions, including binding nature of 30(b)(6) witness testimony, admissibility of evidence related to DOI complaint, and testimony of J. Zanola and C. Lindquist; review deposition transcripts of J. Zanola and C. Lindquist
12/23/2014 Steven D. Hall	5.8 Research re evidentiary motions, including binding nature of 30(b)(6) witness testimony and admissibility of evidence relating to DOI complaint; e-mail correspondence to S. Briner
12/26/2014 Steven D. Hall	1.5 Legal research re admissibility of administrative complaints; outline response to likely evidentiary motions, including DOI complaint; review deposition testimony of J. Zanola
12/29/2014 Steven D. Hall	2.3 Review information received from client; research re likely evidentiary motions
12/30/2014 Steven D. Hall	2.6 Review correspondence from S. Briner re M. Gross file; research and outline responses to likely evidentiary motions; conference re admissibility of DOI complaint and regulations
12/31/2014 Steven D. Hall	0.8 Research re likely evidentiary motions
1/2/2015 Steven D. Hall	0.5 Research re whether administrative complaint is admissible in lawsuit alleging breach of contract/policy and/or tortious interference; outline and research re likely evidentiary motions
1/6/2015 Steven D. Hall	3.0 Telephone conference with J. Zanola's assistant R. Ballard re Camden County sales data; research and outline responses to likely evidentiary motions, including degree of certainty needed to introduce unmarketability damages and admissibility of administrative

	regulations and associated complaints
1/7/2015 Steven D. Hall	4.6 Telephone conference with R. Ballard re Camden County sales data; conference re same; review court order on sanctions motion; telephone conferences with client re order on sanctions motion; research re admissibility of administrative complaints; outline responses to likely evidentiary motions, including degree of certainty needed to introduce unmarketability damages
1/7/2015 Jerina D. Phillips	2.6 Research re likely evidentiary motions
1/7/2015 Richard A. Wunderlich	0.4 Review court order re motion for sanctions
1/9/2015 Steven D. Hall	3.9 Prepare for and participate in telephone conference with clients; research communication re litigation strategy; research re potential construction of Captiva's proposed adverse inference instruction; analyze counsels' correspondence re final privilege log
1/9/2015 Richard A. Wunderlich	0.8 Telephone conference with clients re strategy and response to court order
1/14/2015 Jerina D. Phillips	1.3 Research re likely evidentiary motions
1/16/2015 Richard A. Wunderlich	1.2 Telephone conference with potential expert; work on expert issues; trial preparation
1/21/2015 Richard A. Wunderlich	1.1 Telephone conference with potential expert; work on discovery issues
1/21/2015 Steven D. Hall	0.7 Research re likely evidentiary motions; research re request from H. Cole (Missouri Lawyers Media) re hearing to appoint T. Whitledge; review correspondence from S. Briner re M. Gross
1/23/2015 Richard A. Wunderlich	0.5 Telephone conference re expert
1/26/2015 Jerina D. Phillips	1.5 Research re likely evidentiary motions; e-mail correspondence re issue
1/26/2015 Richard A. Wunderlich	0.6 Work on attorneys fee claim
1/26/2015 Steven D. Hall	1.6 Research re likely evidentiary motions, including admissibility of DOI complaint and other associated materials
1/29/2015 Steven D. Hall	3.0 Telephone conference with client re strategy and media coverage of case; draft research re likely evidentiary motions; research re who can speak for a corporate defendant after designation of a 30(b)(6) witness; research re admissibility of DOI materials
1/30/2015 Steven D. Hall	2.8 Research re scope of testimony allowed by a corporate party when a 30(b)(6) witness has testified; review court's scheduling orders; review documents selected by client as possible trial exhibits
2/2/2015 Steven D. Hall	0.7 Telephone conference with client re discovery

2/3/2015 John M. Hessel	0.6 Review order of court; conference re retention of expert witnesses
2/3/2015 Steven D. Hall	1.0 Update research re damages in insurance litigation
2/4/2015 Steven D. Hall	0.6 Review correspondence from S. Briner re M. work on likely evidentiary motions; conference re same
2/4/2015 Richard A. Wunderlich	2.0 Work on expert retention; telephone conference with J. Norton; e-mail correspondence with J. Norton; e-mail correspondence with S. Briner re production of documents
2/4/2015 John M. Hessel	0.6 Conference with Judge Norton re service as expert witness; conference re damages arising from tortious interference
2/5/2015 Richard A. Wunderlich	0.5 E-mail correspondence with J. Norton re expert retention; e-mail correspondence with clients; work on fee claim submission
2/6/2015 Richard A. Wunderlich	0.7 Work on expert issues
2/6/2015 Steven D. Hall	1.5 Conference re recent document production; review docs
2/10/2015 Steven D. Hall	3.4 Review documents produced by M. Gross; conference re possible trial exhibits and other trial-related matters; telephone conference with client re M. Gross documents and privilege log; review damage-related documents for production to Fidelity
2/10/2015 Richard A. Wunderlich	2.5 Trial preparation; review documents and client information; work on damage issue; work on packet for expert
2/11/2015 Steven D. Hall	4.5 E-mail correspondence with S. Briner re discovery; conference re litigation strategy; update research re tortious interference; prepare and review documents for production; review documents produced by M. Gross
2/11/2015 John M. Hessel	0.8 Conference re expert witness; review and analyze documents for trial strategy
2/11/2015 Richard A. Wunderlich	1.8 Trial preparation; review documents and privilege log issues; work on outline of demonstrative exhibits
2/12/2015 Steven D. Hall	2.3 Research re range of legal fees that may be recovered re vexatious refusal case; review documents
2/13/2015 Steven D. Hall	1.3 Review correspondence from Fidelity's counsel; conference re same; work on demonstrative aides for
2/16/2015 John M. Hessel	1.0 Review order of court and documents in preparation for conference
2/16/2015 Richard A. Wunderlich	2.0 Work on trial issues and themes; review documents; work on expert package

2/16/2015 Steven D. Hall	5.2 Work on trial preparations, including proposed joint stipulation of fact, trial exhibits, demonstrative aides, and responses to motions in limine
2/18/2015 Steven D. Hall	3.4 E-mail correspondence with S. Briner re document production; prepare documents re damages for production and compare documents previously produced with those pending production; research re evidence admissible to show decline in value of real estate
2/18/2015 Richard A. Wunderlich	2.5 Trial preparation
2/19/2015 Richard A. Wunderlich	2.4 Conference with clients re trial issues and strategy; review documents; work on trial issues
2/19/2015 Steven D. Hall	5.0 Select and analyze trial exhibits/key documents; prepare outline of case in chief; conference re same and re privilege log; prepare for conference with clients; conference with clients; review correspondence and related documents re dispute over most-recent privilege log
2/19/2015 John M. Hessel	3.2 Review documents in preparation for conference with clients; attend conference with clients; conference re filing of motions and trial strategy; review documents and pleadings
2/20/2015 Steven D. Hall	5.6 Review M. Gross documents produced by Fidelity; prepare trial exhibits; analyze key documents; prepare outline to present case in chief; analyze correspondence re final privilege log
2/20/2015 John M. Hessel	0.8 Review documents and analyze issues re additional motion for sanctions
2/20/2015 Richard A. Wunderlich	1.8 Trial preparation; work on outlines
2/23/2015 Steven D. Hall	4.6 Correspondence with J. Sewell re trial demonstrative aides; work on demonstrative aides; prepare binder of summary judgment briefing and exhibits that remain relevant; review court's order; e-mail correspondence with client re same; research re updates in law re marketability claims under title insurance policies; analyze contested issues preserved for trial under court's order of summary judgment motions; conference re same
2/23/2015 John M. Hessel	1.0 Review documents in preparation for trial
2/24/2015 Steven D. Hall	4.7 Analyze summary judgment briefing to determine factual disputes where evidence is required; prepare case materials; research re jury consultant; telephone conference with client re same
2/25/2015 Steven D. Hall	4.4 Work on demonstrative aides for use at trial; correspondence with J. Sewell of Midwest Litigation re same; review hard copies of M. Gross files produced by Fidelity; work on evidentiary issues re contested facts; review Fidelity's privilege logs

2/26/2015 Steven D. Hall	3.4 Telephone conference with client re discovery issues; draft list of potential facts that could be stipulated to based on briefing for summary judgment; work on responses to potential evidentiary motions
2/27/2015 Steven D. Hall	4.8 Correspondence with J. Barnes re mechanic lien litigation; work on trial preparations, including trial exhibits, demonstrative aides, trial consultation, and responses to potential evidentiary motions
3/2/2015 John M. Hessel	1.8 Review document and pleadings re motion for summary judgment and sanctions; analyze issues re additional motion for sanctions
3/2/2015 Steven D. Hall	4.7 Research and work on trial exhibits and demonstrative aides
3/3/2015 Richard A. Wunderlich	0.2 Review court order re payment
3/3/2015 Steven D. Hall	5.8 Research and work on demonstrative aids for trial; review M. Gross documents
3/4/2015 Steven D. Hall	4.5 Review M. Gross electronic documents and compare with documents produced physically; analyze client's documents showing damages; conference re strategy issues; review history of correspondence re privilege issues
3/4/2015 Richard A. Wunderlich	1.5 Work on trial exhibits and themes
3/5/2015 Richard A. Wunderlich	1.5 Work on trial outlines and damage issues; review documents; trial preparation
3/5/2015 Steven D. Hall	0.3 Review correspondence with client; research re satisfaction of judgments
3/5/2015 John M. Hessel	1.3 Review motion for summary judgment and documents re same
3/6/2015 Richard A. Wunderlich	3.0 Trial preparation; review documents; work on outlines and exhibit lists
3/7/2015 Steven D. Hall	0.3 Review correspondence from client; e-mail correspondence re same; research re satisfaction of judgment
3/9/2015 Richard A. Wunderlich	1.5 Work on discovery issues; telephone conference with J. Davis; trial preparation
3/10/2015 Steven D. Hall	0.5 Conference re discovery and trial strategy; telephone conference with client re discovery; work on trial demonstrative aides
3/10/2015 John M. Hessel	1.4 Review motions and documents
3/12/2015 Richard A. Wunderlich	1.6 Trial preparation; review documents and privilege log
3/13/2015 John M. Hessel	1.1 Review documents; conference re trial strategy and measurement of damages
3/13/2015 Steven D. Hall	3.0 Work on trial exhibits and demonstrative aides;

review court's order; research re effect of insurer's payment on vexatious refusal claim; prepare documents showing Captiva's damages for production

3/16/2015 Steven D. Hall

4.2 Work on memorandum and documentation to be provided to Judge Norton (proposed legal expert); correspondence to W. Simpson, M. Blanchard, C. Detring and T. Bond re trial date and continuing obligations under trial subpoena; e-mail correspondence to M. Ottsen, J. Uecker, C. Lindquist, J. Zanola, M. Lang and client re trial date; prepare for trial; correspondence to J. Sewell, Midwest Litigation Support, re trial demonstrative aides; conference re jury instructions; research re status of vexatious refusal claim after insurer has paid; prepare damage documents for production; correspondence to S. Briner re same

3/16/2015 John M. Hessel

1.3 Conference re trial setting and strategy for damages; review documents re damages

3/16/2015 Richard A. Wunderlich

3.0 Trial preparation; review documents in last production by Fidelity; work on exhibit and themes

3/16/2015 Jerina D. Phillips

5.0 Research whether vexatious refusal to pay claim extinguishes upon insurer's payment of claim

3/17/2015 Jerina D. Phillips

3.4 Research re vexatious refusal to pay claim; review order relating to trial to ascertain pre-trial deadlines

3/17/2015 Steven D. Hall

6.3 Prepare for trial; research re Department of Insurance issues; work on trial exhibits; telephone conference with C. Lindquist re damage issues; telephone conference with client re same; review court's pre-trial scheduling order; conference re same; review research re vexatious refusal; update proposed jury instructions; correspondence with J. Zanola re report; correspondence with J. Uecker re testimony

3/17/2015 Richard A. Wunderlich

1.8 Work on trial issues; review vexatious refusal case; work on theme issues and exhibits; review documents

3/18/2015 Steven D. Hall

5.8 Prepare for trial; research and design demonstrative aides for trial; research and arrange documents by trial themes; draft talking points re meeting with Fidelity's counsel; review e-mail correspondence from client; prepare background packet for proposed expert Judge Norton; review supplemental report of C. Lindquist

3/19/2015 Steven D. Hall

4.6 Analyze previous document productions; prepare for conference with G. Norton, including preparing background information and reviewing deposition transcripts to evaluate potential relevance for expert legal testimony; prepare for trial, including preparing materials for use as trial demonstrative aides; research re

Department of Insurance documents

3/19/2015 Bridget A. Walton	0.3 Conference re trial preparations
3/19/2015 Richard A. Wunderlich	1.5 Work on expert retention; telephone conference with J. Norton; e-mail correspondence with J. Norton; work on information for review by J. Norton; work on trial issues and exhibits
3/20/2015 Richard A. Wunderlich	1.2 Review motion for continuance; work on opposition; telephone conference with J. Davis
3/20/2015 Steven D. Hall	6.5 Prepare for trial; correspondence with J. Sewell re demonstrative trial aides; conference re trial and document management; review documents; review Fidelity's motion to continue trial; research and draft response to Fidelity's motion; quality control check to ensure all damage documentation has been produced
3/20/2015 John M. Hessel	1.3 E-mail correspondence with expert witness; conference re report of expert; review correspondence and documents re damages
3/20/2015 Bridget A. Walton	6.5 Conference re trial preparation; work on preparing videotaped depositions for trial; review and analyze documents produced to ensure receipt of all documents produced through discovery and subpoenas
3/20/2015 Jerina D. Phillips	1.0 Conference re documents to be reviewed/trial strategy
3/20/2015 Jerina D. Phillips	1.8 Analyze Dickhute's deposition to respond to motion for a new trial date
3/22/2015 Steven D. Hall	1.8 Work on response to Fidelity's motion to continue trial
3/23/2015 Bridget A. Walton	5.9 Prepare videotaped depositions for trial; review and analyze documents produced to ensure completeness of all documents produced through discovery and subpoenas
3/23/2015 Steven D. Hall	7.5 Prepare for trial; revise response to Fidelity's motion to continue trial; conference re same; prepare for conference with G. Norton, including preparing background information and reviewing deposition transcripts to evaluate potential relevance for expert legal testimony; e-mail correspondence with C. Detring re trial date; correspondence with J. Sewell re trial demonstrative aides; quality control check re documents produced supporting damage claim; research re local rules affecting pre-trial motions; conference re Department of Insurance materials
3/23/2015 Jerina D. Phillips	3.4 Review documents in 9/22/2014 production
3/24/2015 Jerina D. Phillips	8.4 Review documents in 9/22/2014 production
3/24/2015 Steven D. Hall	7.4 Revise and file response to Fidelity's motion to continue trial; conference re same;

telephone conferences with client re same;
prepare for conference with G. Norton,
including preparing background information and
reviewing deposition transcripts to evaluate
potential relevance for expert legal testimony;
correspondence with M. Ottsen re trial;
conference re Department of Insurance
documents; correspondence with J. Sewell re
trial demonstrative aides; quality control
check re documents produced supporting damage
claim

3/24/2015 Bridget A. Walton

4.5 Work on preparing videotaped depositions for
trial; review and analyze documents produced
to ensure completeness of all documents
produced through discovery and subpoenas

3/25/2015 Steven D. Hall

7.2 Prepare for conference with G. Norton,
including preparing background information and
reviewing deposition transcripts to evaluate
potential relevance for expert legal testimony;
design damage graph and timeline for use as
trial demonstrative aides; correspondence with
J. Sewell re same; assemble attachments to link
with demonstrative aides; analyze C. Lindquist
supplemental report

3/25/2015 Bridget A. Walton

6.0 Review and analyze documents produced to ensure
completeness of all documents produced through
discovery and subpoenas; prepare log re
documents produced; conference re status of
documents produced

3/25/2015 John M. Hessel

0.9 Review supplemental report of expert; prepare
for conference with expert witness

3/25/2015 Jerina D. Phillips

6.0 Review 9/22/2014 production of documents

3/26/2015 John M. Hessel

3.5 Review documents in preparation for conference
with expert; conference with G. Norton; review
summary of expert witness rule; conference in
preparation for trial

3/26/2015 Bridget A. Walton

4.8 Review and analyze documents produced to
ensure completeness of all documents produced
through discovery and subpoenas; work on log
re documents produced; prepare index of
documents to be sent to Judge Norton for
review

3/26/2015 Richard A. Wunderlich

4.0 Trial preparation; work on expert witness
matters; review documents and exhibits; work
on trial themes and issues

3/26/2015 Jerina D. Phillips

4.6 Search for documents related to Missouri
Department of Insurance

3/26/2015 Steven D. Hall

6.8 Prepare for conference with G. Norton,
including preparing background information and
reviewing deposition transcripts to evaluate
potential relevance for expert legal testimony;
assemble attachments to link with demonstrative
aides; research re recently-produced Department
of Insurance documents; work on trial
exhibits; telephone conference with J. Sewell,
Midwest Litigation, re trial demonstrative

aides; revise event timeline

3/27/2015 Jerina D. Phillips	3.3 Search for documents related to Missouri Department of Insurance
3/27/2015 Richard A. Wunderlich	3.0 Trial preparation; telephone conference with T. Fritzlen; review Seventh Circuit opinion addressing 3(a) of policy; e-mail correspondence with G. Norton re expert engagement; work on materials for expert review
3/27/2015 John M. Hessel	1.1 Conference re settlement discussions; review recent case law
3/27/2015 Bridget A. Walton	4.5 Work on index of documents to be sent to Judge Norton for review; work on log re documents produced
3/27/2015 Steven D. Hall	6.6 Research re recent developments in case law concerning applicability of policy exclusion 3(a) and case background; prepare supplementary materials for G. Norton; review documents for possible inclusion for G. Norton's review; review Department of Insurance and K. Jolly documents for possible use at trial; e-mail correspondence with client re trial issues
3/29/2015 Steven D. Hall	0.9 Research background of recent Seventh Circuit case addressing title insurance policy exclusion 3(a)
3/30/2015 Steven D. Hall	7.0 Review evidence, including deposition transcript of K. Meyers and M. Lang, to determine basis to distinguish BB Syndication Services case from our case; telephone conferences with client re evidence affecting applicability of exclusion 3(a); prepare background documents for G. Norton; e-mail correspondence to G. Norton re same;
3/30/2015 Richard A. Wunderlich	3.0 Trial preparation; review Seventh Circuit case; work on outlines; review documents and production by client and correspondence from T. Fritzlen
3/30/2015 Jerina D. Phillips	5.0 Research and review documents related to Department of Insurance investigation
3/30/2015 John M. Hessel	1.8 Telephone conference with G. Norton re expert witness testimony; review documents re interference with attorneys and documents re damages
3/30/2015 Bridget A. Walton	1.8 Review and analyze documents produced; prepare documents to be sent to Judge Norton for review
3/31/2015 Jerina D. Phillips	3.5 Research and review documents related to Department of Insurance investigation
3/31/2015 Bridget A. Walton	1.4 Review and analyze documents produced
3/31/2015 Richard A. Wunderlich	1.5 Trial preparation; work on materials for expert

3/31/2015 Steven D. Hall	7.4 Telephone conference with client re discovery issues; compare previous document productions with documents recently produced in order to dispute Fidelity's allegation of tardy document production; review evidence, including deposition transcript of K. Meyers and M. Lang, to determine basis to distinguish BB Syndication Services case from this case; e-mail correspondence to J. Zanola re report; compare expert reports of C. Lindquist
4/1/2015 Steven D. Hall	4.6 Prepare for meeting with Fidelity's counsel; conference re same; draft memorandum/talking-points re meeting with Fidelity's counsel; research re DOI materials; conference re materials available on Summation; research re documents Fidelity requested in discovery and that were produced in response
4/1/2015 Bridget A. Walton	5.5 Review and analyze documents produced by Captiva and Fidelity to determine completeness of documents received; review Fidelity's privilege log; update document production log
4/1/2015 Jerina D. Phillips	6.6 Review documents in preparation for trial
4/1/2015 John M. Hessel	1.1 Conference re C. Lindquist testimony; research and review issues in preparation for trial
4/2/2015 Richard A. Wunderlich	1.8 Prepare for meeting with attorneys for Fidelity; conference with T. Fritzlen and S. Briner; telephone conference with T. Fritzlen
4/2/2015 Steven D. Hall	5.2 Prepare for and meet with T. Fritzlen and S. Briner re discovery and trial issues; draft memorandum to file re same; draft e-mail correspondence to Fidelity's counsel re depositions and document productions; research re document productions; research re Fidelity's trial witnesses; conference re trial issues; research re damage related testimony by Captiva; research re law applying policy exclusion 3(a)
4/2/2015 Jerina D. Phillips	3.7 Review and organize documents related to the Department of Insurance investigation
4/3/2015 Richard A. Wunderlich	3.0 Conference with clients re trial preparation and status of discovery conference; work on trial themes and issues; review documents
4/3/2015 Bridget A. Walton	4.6 Conference re trial strategies; prepare memorandum re same; review documents produced in preparation for trial
4/3/2015 John M. Hessel	3.4 Meet with clients re trial preparation and strategy; review deposition testimony
4/3/2015 Steven D. Hall	7.5 Prepare for and meet with client re trial strategy; conference re document management and organization of trial exhibits; communicate with C. Lindquist re upcoming deposition; review DOI-related documents;

	research re treatment of the standard fully-funded requirement in title insurance policies; draft e-mail correspondence to Fidelity's counsel re depositions, expert reports, and document production
4/6/2015 Bridget A. Walton	4.1 Review documents produced in preparation for trial
4/6/2015 Jerina D. Phillips	3.0 Organize DOI documents; review documents related to DOI investigation; search all documents related to DOI
4/6/2015 Steven D. Hall	7.0 Prepare for trial, including work on DOI and damage documents, basis for potential motions in limine, and demonstrative aides; communicate with client re trial issues; communicate with opposing counsel re depositions
4/7/2015 Steven D. Hall	5.1 Prepare for trial, including research re removal of fully funded requirement in policy, work on demonstrative aides for trial, and work on trial exhibits; research and draft correspondence to Fidelity's counsel re mischaracterization of Captiva's testimony concerning damages
4/7/2015 John M. Hessel	0.7 Conference re trial setting and trial strategy; review documents of C. Lindquist
4/7/2015 Bridget A. Walton	4.9 Review videotaped depositions for technical issues; review documents produced in preparation for trial
4/7/2015 Richard A. Wunderlich	2.5 Work on trial issues; review court order re denial of motion for continuance
4/8/2015 John M. Hessel	1.2 Review e-mail correspondence and conference re damages identified by MLake75; review order of court; conference re disposition of Fidelity witnesses and damage experts
4/8/2015 Richard A. Wunderlich	5.0 Trial preparation; e-mail correspondence with T. Fritzlen; work on information for expert witness
4/8/2015 Jerina D. Phillips	2.2 Create timeline of DOI documents
4/8/2015 Steven D. Hall	7.3 Prepare for trial, including work on trial demonstrative aides, trial exhibits, and damage arguments; review court's order on motion to continue trial; research re document productions and DOI documents; research re basis for "fully-funded" argument; draft correspondence to T. Fritzlen re Captiva's damage testimony; exchange e-mail correspondence with S. Briner re discovery issues
4/8/2015 Bridget A. Walton	6.6 Review documents produced by plaintiff, defendant and third parties in preparation for trial
4/9/2015 Richard A. Wunderlich	4.0 Trial preparation; work on expert issues and

	memorandum for Judge Norton; review documents and deposition transcripts
4/9/2015 John M. Hessel	1.1 Review and revise memorandum to Judge Norton, expert; work on damage claims; conference re response to counsel for Fidelity
4/9/2015 Bridget A. Walton	6.7 Review documents produced by plaintiff, defendant and third parties in preparation for trial
4/9/2015 Steven D. Hall	6.4 Research re history of Fidelity's production of documents; e-mail correspondence with S. Briner re privilege log and document review; work on background materials and summary memorandum for Judge Norton; research and draft response to T. Fritzlen re Captiva's claim for damages re failed MLake 99 sale
4/10/2015 Bridget A. Walton	4.8 Review documents produced by plaintiff, defendant and third parties in preparation for trial
4/10/2015 Steven D. Hall	6.8 Prepare for trial; correspondence with client re trial issues; correspondence with Fidelity's counsel re depositions; correspondence with C. Lindquist and J. Zanola re depositions; review materials from client; research re documents produced re Grau lien; quality control re previous productions; review Fidelity's revised privilege log
4/10/2015 Steven D. Hall	0.4 Research re proposed pretrial order
4/10/2015 John M. Hessel	2.2 Review deposition testimony of C. Linquist and M. Lang; conference re deposition of C. Linquist
4/10/2015 Richard A. Wunderlich	2.5 Trial preparation; work on exhibit lists and review of documents
4/11/2015 Steven D. Hall	0.8 Research re documents requested by client; review correspondence from C. Lindquist and T. Fritzlen re depositions; compare deposition subpoena served on C. Lindquist with previous notice of deposition re document requests
4/13/2015 Steven D. Hall	6.8 Research re standard of certainty expert must express re giving opinion testimony in federal court; research history of Captiva's document productions; correspondence with Fidelity's counsel re depositions; correspondence with J. Zanola's office re deposition; research re lien asserted by Grau; e-mail correspondence with C. Stayduhar re M. Gross documents
4/13/2015 Bridget A. Walton	6.3 Review documents produced by plaintiff, defendant and third parties in preparation for trial
4/13/2015 John M. Hessel	1.5 Conference and analyze issues re damages; telephone conference with J. Davis; review policy and order of court re various

	damages; conference re scheduling of deposition
4/13/2015 Jerina D. Phillips	0.5 Search for documents related to settling Grau lien
4/13/2015 Richard A. Wunderlich	4.5 Trial preparation; e-mail correspondence with T. Fritzlen; telephone conference with J. Norton re expert testimony and opinions; telephone conference with D. Stegmann
4/14/2015 Jerina D. Phillips	4.4 Search documents related to settling Grau lien
4/14/2015 Steven D. Hall	6.1 Prepare for trial, including research re effect of an insurer changing basis for denying claim; research re discoverability of draft expert reports and trial exhibits; review correspondence from S. Briner re production issues; correspondence with J. Zanolà's office re deposition; conference with J. Davis re trial issues; research documents requested by client
4/14/2015 John M. Hessel	1.0 Review documents re damages; conference re same
4/14/2015 Richard A. Wunderlich	3.0 Trial preparation
4/14/2015 Bridget A. Walton	4.7 Review documents produced in preparation for trial; conference re documents relating to the Missouri Department of Insurance
4/15/2015 Bridget A. Walton	7.4 Review and index documents relating to the Missouri Department of Insurance
4/15/2015 Steven D. Hall	6.8 Prepare for trial, including work on trial exhibits, research re pleadings in the underlying lien litigation, and analysis of privilege issues; review correspondence from T. Bond re testimony; correspondence with trial consultant re possible engagement for trial consultation services; telephone conference with T. Whitledge re possible testimony; review correspondence from S. Briner and J. Zepp re paper file of M. Dickhute, privilege issues, and other document production issues; review documents at office of Fidelity's counsel
4/15/2015 Jerina D. Phillips	1.6 Review documents re settling Grau liens
4/15/2015 Richard A. Wunderlich	3.0 Trial preparation; work on review of depositions and records
4/16/2015 Richard A. Wunderlich	4.0 Trial preparation
4/16/2015 Bridget A. Walton	6.7 Review and index documents relating to the Missouri Department of Insurance; review loan document review (LDR) file re possible trial exhibits; review major claims reports re possible trial exhibits
4/16/2015 Jerina D. Phillips	2.5 Review documents related to settling Grau lien
4/16/2015 Jerina D. Phillips	2.6 Review documents from Gross production

4/16/2015 Steven D. Hall	6.8 Prepare for trial; research re discoverability of expert draft reports and recent amendments to Rule 26; telephone conference with D. Stegmann re trial issues; telephone conference with J. Zanola re report; correspondence with Fidelity's counsel re M. Gross file and review of same; research re and correspondence with C. Lindquist re deposition; research re Fidelity's conclusions in 2009 re priority of deed of trust; research re documents requested by client
4/17/2015 Jerina D. Phillips	7.0 Research whether an insurer can deny coverage on one basis and later deny coverage on a different basis; research whether an insurer can be estopped from asserting a policy defense when it breaches its duty to defend/indemnify
4/17/2015 Jerina D. Phillips	2.2 Research re what evidence may be allowed to rebut an adverse inference jury instruction
4/17/2015 John M. Hessel	1.0 Telephone conference with Judge Norton; conference re production of exhibits; review records and depositions
4/17/2015 Bridget A. Walton	5.4 Review documents produced to determine possible trial exhibits and categories of trial exhibits
4/17/2015 Steven D. Hall	6.4 Prepare for trial; telephone conference with J. Zanola re report; research re discoverability of draft expert reports; review correspondence from S. Briner re discovery requests; correspondence with client re same; draft notices of deposition; research factual basis to refute nonprudent lending practices should 3(a) evidence be admitted; research re potential trial consultant
4/17/2015 Richard A. Wunderlich	3.5 Trial preparation
4/18/2015 Steven D. Hall	5.6 Prepare for trial, including review of documents for potential use as exhibits, research factual issues and documentation re same, and e-mail correspondence re same; review research re effect of an insurer's use of differing theories to justify denial of coverage
4/18/2015 Jerina D. Phillips	1.6 Research what evidence may be allowed to rebut an adverse inference; draft e-mail correspondence re the issues
4/18/2015 Jerina D. Phillips	5.9 Review documents re settling Grau lien
4/20/2015 John M. Hessel	1.5 Review report of Zanola; review documents and deposition in preparation for meeting with client
4/20/2015 Bridget A. Walton	6.2 Prepare for trial including review of possible trial exhibits; work on

categorization of possible trial exhibits

4/20/2015 Steven D. Hall

7.6 Prepare for trial, including analysis re potential supplements to discovery responses, communicate with possible trial consultants, and assist in gathering and preparing trial exhibits; research re effect of insurer's reliance on multiple theories to deny coverage, effect of policy breach on insurer's ability to obtain coverage determination by the courts, and evidentiary leeway a sanctioned party has at trial to show innocence in the misconduct that produced the sanction; research factual basis for additional issuance of policy endorsements

4/21/2015 Bridget A. Walton

6.6 Prepare for trial including review of possible trial exhibits; work on categorization of possible trial exhibits

4/21/2015 Jerina D. Phillips

6.0 Review recent Michael Gross production; review documents related to Grau lien

4/21/2015 John M. Hessel

3.8 Conference with J. Zanola re expert report; conference with clients re trial strategy and damages

4/21/2015 Richard A. Wunderlich

5.2 Trial preparation; conference with clients re trial themes and damages

4/21/2015 Steven D. Hall

7.6 Prepare for trial, including review of J. Zanola's draft report, analysis of need to supplement discovery responses and disclosures, and review of M. Gross' documents referred to as .mbox documents; correspondence with L. Dahl of Litigation Consultants re possible engagement; prepare for conference and conference with clients re trial strategy; review Grau-related documents

4/22/2015 John M. Hessel

1.2 Review e-mail correspondence of J. Davis; review jury instructions; review documents produced by client and prepare for meeting with expert

4/22/2015 Steven D. Hall

6.8 Prepare for trial, including preparation for conference with J. Zanola and review of supplemental report, preparation of trial demonstrative aides, and preparation re presentation of evidence on damages; review documents and correspondence received from client; research re property owner being competent to testify re value of his or her property

4/22/2015 Jerina D. Phillips

6.0 Review recent Michael Gross production; review documents related to Grau lien

4/22/2015 Bridget A. Walton

4.9 Prepare for trial including review of possible trial exhibits; work on categorization of possible trial exhibits `

4/22/2015 Richard A. Wunderlich

2.0 Trial preparation

4/23/2015 Bridget A. Walton

4.4 Prepare for trial including review of

	possible trial exhibits; work on categorization of possible trial exhibits
4/23/2015 Steven D. Hall	7.2 Prepare for conference with J. Zanola; conference with J. Zanola re report; conference with J. Davis re trial strategy and damages; conference re damages; analyze damage documents and select those to be used at trial; research re possible evidentiary exclusion of purchase price of property; organize by theme documents for potential use at trial; analyze previous discovery responses and need to supplement
4/23/2015 Richard A. Wunderlich	2.5 Trial preparation
4/23/2015 John M. Hessel	2.2 Conference with J. Zanola and J. Davis; review documents re damages; conference re same
4/23/2015 Jerina D. Phillips	2.6 Review documents from Michael Gross production
4/24/2015 Steven D. Hall	6.6 Prepare for trial, including telephone conference with L. Dahl re trial consultations, research re potential consultants, and correspondence with T. Whitledge re possible testimony; research re damages under title insurance policy; prepare additional documents for production; prepare packet of trial and damages materials
4/24/2015 John M. Hessel	1.2 Review deposition testimony and documents of C. Lindquist; review motion in limine and documents of J. Zanola
4/24/2015 Bridget A. Walton	4.8 Prepare for trial including review of possible trial exhibits; work on categorization of possible trial exhibits
4/27/2015 Bridget A. Walton	6.1 Prepare for trial including review of documents re trial exhibits; work on categorization of trial exhibits
4/27/2015 Steven D. Hall	5.6 Telephone conference with T. Whitledge re possible testimony; analyze need for potential supplemental disclosures; gather and review documents re same; prepare for C. Lindquist deposition; work on response to Fidelity's legal arguments concerning damages
4/28/2015 Steven D. Hall	7.5 Prepare for conference with C. Lindquist, including review of previous deposition transcripts, exhibits thereto, and reports; conference with C. Lindquist re deposition and supplemental report; e-mail correspondence with C. Lindquist re same; telephone conference with J. Zanola re supplemental report; research re documents re Grau lien; research re documents previously produced
4/28/2015 Bridget A. Walton	6.6 Prepare for trial including review of documents re trial exhibits; work on categorization of trial exhibits
4/28/2015 John M. Hessel	2.0 Conference with C. Lindquist in preparation

	for deposition; review EDM Report
4/29/2015 Bridget A. Walton	5.8 Prepare for trial including review of timeline and trial exhibits; work on categorization of trial exhibits; work on trial exhibit list
4/29/2015 Richard A. Wunderlich	3.0 Trial preparation
4/29/2015 John M. Hessel	1.6 Review documents in preparation for deposition of C. Lindquist; review report of Zanola Co.; review Fidelity timeline
4/29/2015 Steven D. Hall	5.2 Prepare for trial, including work on supplemental discovery responses and document production, work on trial damage exhibits, and work on deposition designations for use at trial; telephone conferences with J. Davis and D. Stegmann re trial and depositions; telephone conferences with C. Lindquist re EDM report and deposition; conference re discovery and trial issues; research issues re EDM report and Bond/Wolfe report for possible use at C. Lindquist deposition; review J. Zanola supplemental report
4/30/2015 Richard A. Wunderlich	4.2 Trial preparation; work on discovery issues
4/30/2015 Steven D. Hall	5.9 Prepare for trial; conference with C. Lindquist and J. Davis re damages; correspondence to S. Briner and T. Fritzlen re discovery and experts; draft supplemental Rule 26 disclosures; draft supplemental responses to plaintiff's first interrogatories and request for production of documents; e-mail correspondence to client re discovery; conference re C. Lindquist deposition and trial strategy
4/30/2015 John M. Hessel	5.2 Conference with C. Lindquist prior to deposition; attend deposition of C. Lindquist; conference with clients; conference re issues raised in C. Lindquist deposition
4/30/2015 Bridget A. Walton	6.5 Prepare for trial including review of trial exhibits; work on trial exhibit list; work on deposition designations of L. Perna for use at trial
4/30/2015 Jerina D. Phillips	4.6 Research issues re damages for breach of mortgagee's title insurance policy
4/30/2015 Jerina D. Phillips	2.7 Review Michael Gross files from recent production
5/1/2015 Richard A. Wunderlich	5.0 Trial preparation; work on exhibits and outlines; work on expert matters
5/1/2015 Bridget A. Walton	6.7 Conference re trial preparations and strategy; work on trial exhibits; work on deposition designations of M. Dickhute for use at trial
5/1/2015 John M. Hessel	1.4 Review e-mail correspondence from T. Fritzlen re expert witness reports; conference re same; telephone conference with G. Norton re

	expert report; conference re exhibits and related matters
5/1/2015 Steven D. Hall	8.2 Conference re exhibits at trial needed to sustain our claims; review correspondence from T. Fritzlen re experts; analyze J. Zanola's supplemental report
5/2/2015 Steven D. Hall	1.7 Review and prepare supplemental document production; research re T. Fritzlen's request re exhibits to J. Zanola deposition
5/3/2015 Steven D. Hall	2.0 Review and prepare supplemental document production
5/4/2015 Steven D. Hall	8.8 Conference re exhibits at trial needed to sustain our claims; review correspondence from T. Fritzlen; conference re supplemental discovery production and responses; edit same; draft e-mail correspondence/memorandum to file re J. Zanola's report
5/4/2015 Richard A. Wunderlich	5.0 Trial preparation; work on exhibits and trial outlines; work on expert issues; review reports
5/4/2015 Bridget A. Walton	7.6 Conference re trial preparations and strategy; work on identifying trial exhibits
5/4/2015 John M. Hessel	1.6 Review report of J. Zanola and conference re marketing analysis; review and respond to e-mail correspondence re J. Zanola analysis; review updated analysis; review report of G. Norton
5/5/2015 John M. Hessel	0.7 Conference re expert reports, request for documents from T. Fritzlen and related matters; prepare for meeting with experts
5/5/2015 Bridget A. Walton	6.8 Work on trial preparations including identifying trial exhibits; work on defendant's trial exhibit list; work on deposition designations of M. Dickhute for use at trial; e-mail correspondence from Midwest Trial Services re courtroom technology including trial exhibits and videotaped deposition
5/5/2015 Richard A. Wunderlich	4.0 Trial preparation; work on transcript designations and outlines; telephone conference with Judge Norton re draft report; review draft report
5/5/2015 Steven D. Hall	8.4 E-mail correspondence with J. Zanola and R. Ballard re depositions; review J. Zanola's previous deposition transcript and exhibits thereto; review and produce documents in response to Fidelity's request; draft correspondence to T. Fritzlen re discovery; review G. Norton's expert report; conference with G. Norton re same; research re vexatious refusal; work on trial exhibits
5/6/2015 Richard A. Wunderlich	4.5 Trial preparation; work on witness outlines and deposition designations; telephone conference with clients re damage issues;

	review final report from Judge Norton
5/6/2015 Steven D. Hall	8.0 Prepare for conference with J. Zanola re deposition testimony; conference with J. Zanola re same; conference re damages; research rules and deadlines re designation of expert witnesses; review and produce G. Norton's report; review J. Zanola's research file; correspondence to S. Briner re supplemental discovery requests, including financial information of plaintiff; review Captiva's 2011 discovery requests and Fidelity's responses; research re trial exhibits
5/6/2015 John M. Hessel	3.2 Conference with J. Zanola in preparation for deposition; conference re damages and related matters; conference re report of G. Norton
5/6/2015 Bridget A. Walton	6.7 Work on trial preparations including identifying trial exhibits; work on defendant's trial exhibit list; conference with M. Toth from Midwest Trial Services re courtroom technology involving trial exhibits and depositions
5/7/2015 Richard A. Wunderlich	2.8 Trial preparation; work on outlines and exhibits
5/7/2015 John M. Hessel	8.2 Meet with witness J. Zanola and client; attend deposition of J. Zanola
5/7/2015 Bridget A. Walton	6.0 Work on trial preparations including identifying trial exhibits; work on defendant's trial exhibit list; work on deposition designations of K. Dunn-Walters for use at trial
5/7/2015 Steven D. Hall	8.9 Conference with J. Zanola and client re damages; conference with T. Fritzlen re pretrial submissions; research re trial exhibits; work on possible demonstrative aides to show findings of C. Lindquist; correspondence with C. Lindquist re same; communicate with M. Lang re trial; review file of G. Norton for production; edit timeline; prepare documents to show attorney fees for which recovery is sought at trial; research re possible exclusion/motion in limine to exclude purchase price of project
5/8/2015 Steven D. Hall	8.4 Prepare for trial, including research re possible missing communications between M. Dickhute and the Sauerwein law firm to invoke adverse inference, research re trial exhibits to fill in factual gaps in plaintiff's case/story, and research re waiver argument in that coverage defenses are waived when an indemnity obligation is paid; conference re J. Zanola deposition and what may be required to bolster his testimony; e-mail correspondence and telephone conferences with client re trial issues; e-mail correspondence to S. Briner re discovery; research re recent cases on vexatious refusal; outline re possible motions in limine

5/8/2015 Richard A. Wunderlich	5.0 Trial preparation; work on deposition excerpts and outlines; work on exhibits; work on opening statement
5/8/2015 Bridget A. Walton	5.5 Review deposition transcript and exhibits of C. Lindquist's supplemental deposition for use at trial; work on deposition designations of K. Dunn-Walters for use at trial; work on identifying trial exhibits; work on defendant's trial exhibit list
5/8/2015 John M. Hessel	2.1 Conference re deposition of J. Zanola and issues re damages; review title policy and other documents; work on matters for examination of Fidelity witnesses; review e-mail correspondence from J. Davis re records
5/9/2015 Richard A. Wunderlich	4.0 Work on opening statement
5/9/2015 Steven D. Hall	2.7 Research re factual gaps in designated trial exhibits, including communications between W. Sauerwein and L. Perna, communications between Captiva and Fidelity re finance documentation allegedly missing, and SSB's search for retention/engagement letter
5/10/2015 Steven D. Hall	4.4 Research re factual gaps in designated trial exhibits, including proof that title company knew construction on project was ongoing when it issued the policy, meeting between B. Shepard and C. Detring, and various events in SSB's representation of Captiva
5/11/2015 Bridget A. Walton	6.8 Work on identifying exhibits for use at trial; work on defendant's trial exhibit list
5/11/2015 Steven D. Hall	8.0 Legal research re finalization of trial exhibits; conference re same
5/11/2015 Richard A. Wunderlich	4.5 Trial preparation
5/11/2015 John M. Hessel	1.1 Analyze motions in limine re damages and related documents
5/11/2015 Jerina D. Phillips	3.3 Research instances where a duty to cooperate is waived
5/12/2015 John M. Hessel	3.0 Review documents re damages; conference with client
5/12/2015 Richard A. Wunderlich	5.5 Trial preparation; conference with clients; conference with Judge Norton re expert testimony
5/12/2015 Steven D. Hall	8.8 Conference with client re deposition testimony; conference with G. Norton re deposition; review e-mail correspondence and expert designations from T. Fritzlen; correspondence with potential trial consultant, L. Dahl; research re finalization of trial exhibits; prepare supplemental document production
5/12/2015 Bridget A. Walton	6.5 Work on identifying exhibits for use at

	trial; work on defendant's trial exhibit list; review video deposition of J. Zanola taken on May 7, 2015; e-mail correspondence with M. Toth at Midwest Trial Services attaching requested format of various depositions for possible use at trial; review supplemental documents produced by Fidelity
5/13/2015 Richard A. Wunderlich	5.0 Prepare for and attend deposition of G. Norton
5/13/2015 Steven D. Hall	7.8 Prepare materials for deposition of G. Norton; work on motion in limine re coverage; research re chronology of Mlake transactions; research re chronology of mechanics' lien litigation; research and draft working list of potential motions in limine; work on finalizing trial exhibit list
5/13/2015 John M. Hessel	1.8 Conference re deposition of G. Norton and issues raised in deposition; conference re motion to strike designated experts and trial strategy; review damage documents
5/13/2015 Bridget A. Walton	6.8 Work on identifying exhibits for use at trial; work on defendant's trial exhibit list; review supplemental documents produced by Captiva; review supplemental documents produced by Fidelity re M. Gross correspondence
5/14/2015 Steven D. Hall	6.4 Conference re trial exhibits; research re same, including net worth of Fidelity and transfer of title policy to Captiva
5/14/2015 Richard A. Wunderlich	2.0 Trial preparation; work on exhibits and damage issues
5/14/2015 Bridget A. Walton	6.9 Work on identifying exhibits for use at trial; conference re same; work on defendant's trial exhibit list; review supplemental documents produced by Fidelity re M. Gross correspondence
5/14/2015 Jerina D. Phillips	1.7 Research re duty to cooperate and duty to indemnify
5/15/2015 John M. Hessel	1.5 Review orders of court and motions for summary judgment; conference re measure of damages
5/15/2015 Bridget A. Walton	6.6 Work on identifying exhibits for use at trial; work on defendant's trial exhibit list
5/15/2015 Steven D. Hall	5.0 Prepare for trial, including correspondence with J. Sewell re trial graphics, work and research on trial exhibits, and research re duty to cooperate
5/15/2015 Richard A. Wunderlich	2.5 Trial preparation; work on exhibits; work on damage issues; review report from B. Nielson
5/17/2015 Steven D. Hall	3.5 Review and research re supplemental report of B. Nielson; research re admissibility of evidence of title insurance damages when duty to indemnify under policy of title insurance arises, and ability to obtain damages for best and high test use of property that cannot be developed as a result of an insured

title defect

5/18/2015 Steven D. Hall	7.1 Prepare for trial, including work on exhibits for trial, trial brief, and designation of various discovery responses; prepare materials for supplemental production; review M. Gross correspondence re W9s and Captiva appeal; correspondence to T. Fritzlen re Captiva's deposition and designations; telephone conference with client re trial testimony
5/18/2015 Bridget A. Walton	6.6 Work on identifying exhibits for use at trial; work on defendant's trial exhibit list
5/18/2015 John M. Hessel	0.3 Review e-mail correspondence and work on reply re corporate representative designation for deposition
5/18/2015 Richard A. Wunderlich	1.5 Trial preparation
5/18/2015 Jerina D. Phillips	6.0 Research whether Fidelity can be estopped from asserting coverage defenses
5/19/2015 Jerina D. Phillips	6.9 Review documents in M. Gross communications; research whether Fidelity can be estopped from asserting coverage defenses
5/19/2015 John M. Hessel	1.2 Conference re meeting with clients and designation of corporate representatives; analyze issues re damages; e-mail correspondence to and from T. Fritzler re various matters
5/19/2015 Steven D. Hall	9.1 Analyze supplemental report from B. Nielson in light of summary judgment ruling, previous reports, and pleadings; telephone conference with client re trial strategy; review and prepare supplemental production of documents; e-mail correspondence with opposing counsel re pre-trial issues; research re trial exhibits; conference re same
5/19/2015 Bridget A. Walton	6.5 Work on identifying exhibits for use at trial; work on defendant's trial exhibit list; draft defendant Captiva's deposition designations and interrogatory answers for filing with the court pursuant to court order
5/20/2015 Steven D. Hall	7.5 Research re documents to and from G. Dawley; research re trial exhibits; conference with clients re deposition preparations; conference re trial strategy; research re previous lawsuits implicating Captiva's claim in present lawsuit; research re enforceability of trial subpoena; draft correspondence to T. Fritzlen re depositions
5/20/2015 John M. Hessel	4.2 Conference with clients in preparation for deposition; analyze issues re damages
5/20/2015 Jerina D. Phillips	2.0 Research court's subpoena power
5/20/2015 Richard A. Wunderlich	3.5 Trial preparation; conference with clients re depositions and preparation

5/20/2015 Bridget A. Walton	6.4 Work on identifying exhibits for use at trial; work on defendant's trial exhibit list; work on defendant's deposition designations and interrogatories answers for filing with court pursuant to court order; review Lewis Rice invoices in preparation for production
5/21/2015 John M. Hessel	3.2 Attend deposition of D. Stegman; analyze issues based on correspondence from P. Archer releasing claims; attend deposition of J. Davis
5/21/2015 Bridget A. Walton	6.6 Work on identifying exhibits for use at trial; work on defendant's trial exhibit list; work on defendant's deposition designations and interrogatories answers for filing with court pursuant to court order; review Lewis Rice invoices in preparation for production
5/21/2015 Richard A. Wunderlich	8.0 Prepare for depositions of Captiva representatives; attend and defend depositions
5/21/2015 Jerina D. Phillips	0.9 Research re whether Fidelity can be estopped from denying coverage
5/21/2015 Jerina D. Phillips	1.3 Research cases for motion to strike an untimely expert report
5/21/2015 Steven D. Hall	9.3 Research and prepare materials for G. Dawley deposition; telephone conference with J. Sewell re trial demonstratives; review and edits drafts of the same; review correspondence from T. Archer to Captiva; research re the effect of seeking no remedy in a declaratory judgment action; review research re tardy naming of an expert; draft motion to strike expert
5/22/2015 Jerina D. Phillips	2.4 Research re adverse inference jury instruction
5/22/2015 Richard A. Wunderlich	2.5 Trial preparation
5/22/2015 Steven D. Hall	5.8 Prepare for trial, including communications with Midwest Litigation and L. Dahl re trial, work on damage exhibits/evidence, draft "to do" memorandum; work on motion to exclude M. Sherman; review report of D. Richmond
5/22/2015 John M. Hessel	2.3 Review report of experts and documents in preparation for meeting; conference re defense strategy
5/22/2015 Bridget A. Walton	4.0 Work on reviewing and identifying exhibits for use at trial; work on Captiva's trial exhibit list; review and prepare Lewis Rice billing records for production to plaintiff
5/23/2015 Richard A. Wunderlich	3.5 Trial preparation; work on expert issues and outlines; prepare for deposition of G. Dawley and B. Nielson
5/23/2015 Steven D. Hall	3.1 Prepare for trial, including communicate with J. Zanola and C. Lindquist re trial demonstrative aides, work on motion to strike M. Sherman, and review M. Sherman report

5/24/2015 Steven D. Hall	4.4 Research client's concerns re damages; e-mail correspondence re same; conference re documents needed for G. Dawley deposition; research re B. Nielson's conclusions as stated in his supplemental report; telephone conference with client re damage testimony; research re same
5/26/2015 Steven D. Hall	8.0 Prepare for trial, including research re punitive damages, correspondence with Fidelity's counsel re discovery, and preparation of deposition outline for G. Dawley; conference re punitive damages; review materials from client re same and re marketability; telephone conference with D. Stegmann re same
5/26/2015 Bridget A. Walton	5.8 Review documents in preparation for the deposition of G. Dawley; work on reviewing and identifying exhibits for trial; work on Captiva's trial exhibit list
5/26/2015 Jerina D. Phillips	3.8 Research re whether estoppel is applicable; research re adverse inference jury instruction
5/26/2015 Jerina D. Phillips	2.5 Research re the admissibility of evidence related to net worth
5/26/2015 Richard A. Wunderlich	2.5 Trial preparation; work on outlines; prepare for deposition of G. Dawley
5/26/2015 John M. Hessel	1.2 Review documents and e-mail correspondence re punitive damages; conference re same; conference re demonstrative evidence
5/27/2015 Bridget A. Walton	4.8 Prepare documents for production to plaintiff; assemble documents in preparation for deposition of G. Dawley; work on defendant's trial exhibit list
5/27/2015 John M. Hessel	0.6 Telephone conference with D. Stegman re punitive damages; analyze issues re proof of punitive damages
5/27/2015 Jerina D. Phillips	1.3 Review and revise jury instructions
5/27/2015 Jerina D. Phillips	0.7 Conference with opposing counsel re stipulated facts; work on the same
5/27/2015 Steven D. Hall	8.3 Prepare for trial, including telephone conference with client re evidence; prepare for G. Dawley deposition; telephone conference with experts re trial demonstrative aides; telephone conference with S. Briner re pre-trial submissions; work on stipulations of fact, case summary, jury instructions and trial brief
5/28/2015 Steven D. Hall	7.8 Prepare for trial, including work on jury instructions, trial exhibits and trial brief; telephone conference with S. Briner re pre-trial filings; telephone conference with client re punitive damages; review supplemental production of documents and produce; prepare materials and outline for use at G. Dawley's deposition

5/28/2015 Richard A. Wunderlich	2.5 Trial preparation; review information re net worth; work on exhibit list and documents
5/28/2015 Bridget A. Walton	4.4 Review documents in preparation for upcoming depositions; review financial documents produced by Fidelity; work on preparing exhibits for trial
5/29/2015 Bridget A. Walton	4.2 Review documents in preparation for upcoming depositions; review financial documents produced by Fidelity; work on preparing exhibits for trial
5/29/2015 Leonard J. Essig	0.5 Research and conference re financial statement issues
5/29/2015 Steven D. Hall	6.7 Prepare for trial, including research re net worth of plaintiff (conferences re same), research in preparing for G. Dawley's deposition and telephone conferences with client and with Fidelity's counsel re "net worth" documentation
5/29/2015 Richard A. Wunderlich	3.0 Prepare for deposition of G. Dawley; conference call with attorneys for Fidelity re net worth issues; review information produced; telephone conference with D. Stegmann; work on trial issues
5/29/2015 Jerina D. Phillips	2.3 Research sources indicating that counsel should look to workmanship defense when defending a mechanic's lien
5/29/2015 Jerina D. Phillips	0.8 Research sources indicating that counsel should look to workmanship defense when defending a mechanic's lien
5/29/2015 John M. Hessel	1.4 Review deposition testimony of J. Davis; review e-mail correspondence from Fidelity re net worth; participate in conference call re net worth of Fidelity
5/30/2015 Jerina D. Phillips	1.3 Research re defenses to mechanic's lien
5/30/2015 John M. Hessel	1.5 Review documents and e-mail correspondence from J. Davis re G. Dawley deposition; review notes for opening statement
5/30/2015 Steven D. Hall	3.0 Prepare for trial, including telephone conference with S. Briner re witnesses, preparation for G. Dawley deposition, and work on trial brief; review e-mail correspondence from T. Fritzlen re stipulation of net worth of plaintiff
5/31/2015 John M. Hessel	1.3 Review publications and report of Mr. Nielson
6/1/2015 Bridget A. Walton	5.4 Prepare documents for deposition of G. Dawley; prepare for trial, including identifying Captiva's trial exhibits; revise Captiva's deposition designations for trial
6/1/2015 John M. Hessel	2.4 Review and analyze stipulation re net worth; conference re expert reports of plaintiff; conference with clients; review documents re due diligence of Fidelity

6/1/2015 Richard A. Wunderlich	7.0 Prepare for depositions; conference with clients; work on discovery; trial preparation
6/1/2015 Jerina D. Phillips	3.2 Research re defenses to mechanic's lien in preparation for G. Dawley's deposition
6/1/2015 Jerina D. Phillips	3.3 Review and analyze M. Dickhute's deposition in preparation for G. Dawley's deposition
6/1/2015 Steven D. Hall	8.8 Prepare for deposition of G. Dawley; research re possible stipulation of Fidelity's net worth; research re what constitutes a proper defense in a mechanic's lien case; correspondence with J. Uecker re possible testimony; conference with clients re G. Dawley and B. Nielsen depositions
6/2/2015 Steven D. Hall	10.0 Review damage documents and stipulations under rule of evidence 1006; prepare materials for B. Nielsen deposition; research documentation re Fidelity's use or withdrawal of litigation hold; e-mail correspondence with J. Sewell and C. Lindquist re trial; prepare for conference re evidence to be used at trial
6/2/2015 Bridget A. Walton	5.1 Prepare documents for deposition of G. Dawley; prepare for trial, including work on trial exhibits, trial exhibit list and trial brief
6/2/2015 Jerina D. Phillips	0.6 Research re damages calculation
6/2/2015 Richard A. Wunderlich	7.0 Prepare for deposition of G. Dawley; attend and take deposition of G. Dawley; conference with clients
6/2/2015 John M. Hessel	1.2 Review deposition of J. Davis for analysis of damages
6/3/2015 Richard A. Wunderlich	6.0 Trial preparation; work on deposition issues; prepare for deposition of B. Nielson
6/3/2015 John M. Hessel	2.7 Work on issues re damages; conference re same
6/3/2015 Jerina D. Phillips	3.2 Review pleadings and various filings to draft stipulation of facts
6/3/2015 Jerina D. Phillips	5.1 Draft stipulation of facts for trial
6/3/2015 Bridget A. Walton	5.2 Review documents in preparation for deposition of B. Nielsen; review and index deposition exhibits
6/3/2015 Steven D. Hall	9.3 Prepare for conference re evidence to be used at trial; analyze and compare reports of B. Nielsen; conference re same
6/4/2015 Richard A. Wunderlich	9.0 Prepare for deposition of B. Nielson, expert witness; attend and take deposition; conference with clients; review tendered opinion of M. Sherman
6/4/2015 Steven D. Hall	10.0 E-mail correspondence to J. Uecker re possible testimony; conference with client re trial; work on proposed joint stipulation of facts

6/4/2015 John M. Hessel	2.8 Review deposition testimony; review report of experts
6/4/2015 Bridget A. Walton	5.1 Review deposition transcripts and exhibits of C. Lindquist, J. Zanola, G. Norton, D. Stegmann, B. Stegmann and J. Davis; work on preparing trial exhibits and defendant's trial exhibit list
6/4/2015 Jerina D. Phillips	6.2 Edit stipulation of facts; research re allocation/apportionment of damages
6/5/2015 John M. Hessel	3.3 Review deposition testimony; review report of M. Sherman; exchange e-mail correspondence re deposition scheduling; work on motion to strike and related issues
6/5/2015 Steven D. Hall	8.2 Edit motion to strike M. Sherman; conference re same; conference re whether the court retains jurisdiction over the counts appearing in Fidelity's complaint; review motion to strike J. Zanola and authorities cited therein; research re challenging a motion to strike which evades the court's limit on motions in limine; correspondence with client re M. Sherman and J. Zanola; telephone conference with J. Zanola re effort to strike J. Zanola as witness
6/6/2015 Steven D. Hall	3.3 Analyze report of M. Sherman; work on motion to strike M. Sherman; work on trial brief
6/6/2015 Richard A. Wunderlich	1.0 Work on pretrial motions
6/7/2015 Steven D. Hall	5.4 Research re jury instructions and apportionment of damages; work on motion to strike M. Sherman; work on trial brief and other pretrial filings; e-mail correspondence to T. Fritzlen re net worth stipulation
6/8/2015 Steven D. Hall	10.0 Prepare for trial, including work on motion to strike M. Sherman and other pretrial filings; e-mail correspondence to S. Briner re pretrial issues; telephone conferences with client re net worth stipulation and other pretrial issues; telephone conference with J. Zanola re M. Sherman report and motion to strike J. Zanola
6/8/2015 Bridget A. Walton	6.7 Review and index deposition exhibits of D. Stegmann, J. Davis, C. Lindquist, J. Zanola, G. Norton and G. Dawley; revise Captiva's trial exhibit list and deposition designations
6/8/2015 John M. Hessel	1.7 Work on motion to strike M. Sherman; conference re scheduling of deposition of M. Sherman and related matters; review motion to strike J. Zanola
6/8/2015 Richard A. Wunderlich	1.5 Work on pretrial submissions
6/9/2015 Steven D. Hall	10.0 Work on final exhibits and list; telephone conferences with client re evidence relating to 3(a) policy defense; communicate with S. Briner

re pretrial submissions; work on motion to strike M. Sherman; research re response to motion to strike J. Zanola; research re evidence needed to support "carrying costs" and other associated fees

6/9/2015 Bridget A. Walton	5.9 Work on trial preparations including identifying and preparing exhibits for trial
6/9/2015 John M. Hessel	1.1 Review and revise motion to strike M. Sherman; conference re same; review e-mail correspondence re stipulated net worth
6/9/2015 Richard A. Wunderlich	1.0 Work on pre-trial submissions and motions
6/10/2015 John M. Hessel	1.0 Conference re motion to strike; review depositions in preparation for trial; work on issues for M. Sherman deposition
6/10/2015 Bridget A. Walton	7.5 Work on trial preparations including revising Captiva's trial list and trial exhibits
6/10/2015 Richard A. Wunderlich	0.5 Work on motions and pre-trial submissions
6/10/2015 Steven D. Hall	10.0 Review exhibits and final exhibit list; correspondence with S. Briner re pretrial issues; finalize and file motion to strike M. Sherman; work on response to motion to strike J. Zanola; draft memorandum to file re telephone conference with J. Zanola re motion to strike and report of M. Sherman
6/11/2015 Steven D. Hall	10.0 Telephone conference with S. Briner and T. Fritzlen re pretrial matters; exchange e-mail correspondence re same; draft memorandum to file re same; edit and finalize exhibit list (primarily damage exhibits); correspondence with client re same; work on factual stipulations; update jury instructions to account for recent case law; work on response to motion to strike J. Zanola; conference re same; correspondence with L. Dahl, C. Lindquist and J. Uecker re pretrial issues
6/11/2015 Richard A. Wunderlich	1.0 Work on pre-trial issues and brief
6/11/2015 Bridget A. Walton	6.8 Work on trial preparations including identifying and preparing exhibits for trial; work on Captiva's trial exhibit list for filing with court
6/12/2015 Bridget A. Walton	4.8 Work on trial preparations including identifying and preparing exhibits for trial; work on Captiva's trial exhibits list for filing with court
6/12/2015 Richard A. Wunderlich	0.6 Work on pre-trial matters
6/12/2015 Steven D. Hall	10.0 Work on trial brief; research and draft response to motion to strike J. Zanola; research re proposed evidentiary stipulations; telephone conference with S. Briner re pretrial issues; work on trial exhibits relating to damages

6/13/2015 Steven D. Hall	10.0 Research and draft trial brief and work on joint stipulations of fact
6/14/2015 Steven D. Hall	8.3 Work on trial brief, jury instructions, and discovery designations; review motion in limine to exclude testimony of J. Davis and D. Stegmann re damages and authorities cited therein; communicate with S. Briner and C. Stayduhar re pretrial factual and evidentiary stipulations
6/14/2015 Jerina D. Phillips	2.4 Review Fidelity's motions to strike; preliminary research re responses
6/15/2015 Steven D. Hall	10.0 Complete and file pretrial submissions, including witness list, exhibit list, deposition and discovery designations, proposed jury instructions, joint stipulations, and trial brief; telephone conferences with client and opposing counsel re same
6/15/2015 Bridget A. Walton	6.4 Revise Captiva's trial exhibit list and deposition/discovery responses designations; prepare electronic copies of Captiva's trial exhibits to be delivered to Fidelity's counsel pursuant to court order
6/15/2015 Jerina D. Phillips	1.8 Review and edit proposed jury instructions
6/15/2015 Jerina D. Phillips	5.2 Review and edit trial brief
6/15/2015 Jerina D. Phillips	2.7 Research case law to respond to motion to strike Stegman/Davis
6/15/2015 John M. Hessel	3.5 Review and revise trial brief; review jury instructions; work on various motions; conference re damages; telephone conference with J. Davis and D. Stegman re damages; draft memorandum re damages and analyze issues of proof of damages
6/15/2015 Richard A. Wunderlich	5.0 Work on pre-trial submissions; trial preparation
6/16/2015 John M. Hessel	1.8 Conference with client re response to motion to limit testimony; work on issues re damages and J. Zanola
6/16/2015 Richard A. Wunderlich	5.0 Work on motions in limine and responses; work on damage issues
6/16/2015 Jerina D. Phillips	5.2 Research re property owners ability to testify to value of property; review cases cited by Fidelity; conference re affidavit to attach to opposition to motion to strike
6/16/2015 Jerina D. Phillips	4.0 Draft opposition to motion to strike lay witnesses
6/16/2015 Jerina D. Phillips	3.4 Research re property owners ability to testify to value of property; draft opposition to motion to strike
6/16/2015 Steven D. Hall	8.5 Conference re damages; review Fidelity's pretrial filings; telephone conference with S.

Briner re trial exhibits; work on response to motion to exclude damage testimony from D. Stegmann and J. Davis; conference with clients re same; draft response to motion to strike J. Zanola

6/16/2015 Bridget A. Walton

6.4 Review Fidelity's pretrial court filings, including Fidelity's trial exhibit list and deposition/discovery responses designations; review Fidelity's deposition designations of M. Dickhute, K. Watts, M. Lang and D. Stegmann; review Fidelity's trial exhibits; prepare electronic copies of Fidelity's trial exhibits to be sent to D. Stegmann, B. Stegmann and J. Davis; correspondence to D. Stegmann, B. Stegmann and J. Davis enclosing electronic copies of Fidelity's trial exhibits; e-mail correspondence and telephone calls with Midwest Trial Services re formatting of trial exhibits for use at trial

6/17/2015 Steven D. Hall

10.0 Telephone conference with S. Briner re witness list; draft memorandum to file re same; correspondence with L. Dahl re trial consultation; work on objections to Fidelity's trial exhibit list; work on brief in opposition to motion to strike D. Stegmann and J. Davis; work on J. Davis affidavit re same; conference re same; telephone conference with R. Ballard of J. Zanola's office re conference with J. Zanola relating to testimony

6/17/2015 Bridget A. Walton

6.2 Review Fidelity's deposition designations of K. Meyer and D. Stegmann; review Fidelity's trial exhibits; e-mail correspondence and telephone calls with Midwest Trial Services re formatting of trial exhibits for use at trial, including deposition transcripts and videos; review recent documents produced by Fidelity in the Summation database; draft Captiva's objections to Fidelity's trial exhibits

6/17/2015 Jerina D. Phillips

8.0 Edit opposition to motion to strike; cite check opposition

6/17/2015 Richard A. Wunderlich

5.0 Work on opposition to motion in limine directed to testimony of J. Davis and D. Stegmann re damages; work on motions, trial preparation, and pre-trial matters

6/17/2015 John M. Hessel

2.2 Review and revise affidavit of J. Davis; work on memorandum in opposition to lay testimony; review reports and prepare for meeting with J. Zanola

6/18/2015 Steven D. Hall

10.0 E-mail correspondence with L. Dahl and J. Uecker; analyze Fidelity's pretrial filings; correspondence with client re pretrial issues; research and draft response to motion to strike J. Zanola; conference with J. Zanola and R. Ballard re same and re trial testimony

6/18/2015 John M. Hessel

3.9 Conference with J. Davis re computation of damages; analyze documents re testimony of J. Zanola and report of M. Sherman; conference

	with Zanola representatives; conference re issues with testimony of J. Davis
6/18/2015 Richard A. Wunderlich	6.0 Work on motions and responses; work on final exhibits and outlines
6/18/2015 Jerina D. Phillips	6.3 Review J. Zanola's deposition to respond to motion to strike; research re subjective element of real estate appraisal; edit response to motion to strike
6/18/2015 Jerina D. Phillips	2.8 Research re what sources property owner can use to testify as to the value of their property
6/18/2015 Bridget A. Walton	5.4 Review Fidelity's trial exhibits re possible objections to same; e-mail correspondence and telephone calls with Midwest Trial Services re formatting of trial exhibits for use at trial including deposition transcripts and video; work on memorandum in opposition to plaintiff's motion to strike Zanola
6/19/2015 Steven D. Hall	10.0 Conference re pretrial hearing; telephone conference with J. Uecker re testimony; telephone conference with T. Fritzlen re pretrial issues; telephone conference with W. Alper-Pressman re K. Meyer and L. Dahl re trial consultation; work on and file response to motion to strike J. Zanola; conference re reply brief in support of motion to strike M. Sherman
6/19/2015 Jerina D. Phillips	3.7 Research re what evidence property owners can use to show the value of their property
6/19/2015 Jerina D. Phillips	3.6 Review Fidelity's response in opposition to motion to strike Sherman; research the scope of rebuttal reports/experts
6/19/2015 Bridget A. Walton	6.4 Prepare trial witness binders re deposition exhibits of deponents designated by Fidelity; e-mail correspondence and telephone calls with Midwest Trial Services re obtaining and formatting of the video depositions of J. Davis, B. Stegmann and D. Stegmann to be sent to L. Dahl
6/19/2015 John M. Hessel	2.6 Review trial brief and analyze issues re same; conference re damage issues; exchange e-mail correspondence re deposition of M. Sherman; work on memorandum in opposition to motion to strike J. Zanola; work on issues re deposition of M. Sherman
6/19/2015 Richard A. Wunderlich	6.5 Trial preparation; telephone conference with J. Uecker; telephone conference with L. Dahl; work on motions in limine and oppositions to Fidelity's motions
6/20/2015 Richard A. Wunderlich	4.5 Work on trial exhibits and designations; work on pre-trial matters
6/20/2015 Jerina D. Phillips	5.3 Draft reply to Fidelity's memorandum in opposition to motion to strike Sherman
6/20/2015 Steven D. Hall	5.4 Analyze Fidelity's pretrial filings; work on

	<p>motion in limine re coverage exclusion 3(a); work on outline of response to Fidelity's motion in limine to exclude evidence re Department of Insurance complaint</p>
6/21/2015 Steven D. Hall	4.1 Work on motions in limine to exclude evidence offered in support of applicability of policy exclusion 3(a) and motion to exclude B. Nielsen's testimony on lending practices
6/21/2015 Jerina D. Phillips	5.7 Revise and edit memorandum in opposition to motion to strike
6/21/2015 Jerina D. Phillips	2.4 Draft reply to memo in opposition to motion to strike; edit memo
6/22/2015 Steven D. Hall	10.0 Work on motions in limine and research; conference re damages an owner of real estate can testify concerning; correspondence with client re pretrial matters; correspondence with T. Whitledge and J. Uecker re testimony
6/22/2015 Richard A. Wunderlich	5.5 Work on pre-trial filings and motions; work on trial outline
6/22/2015 Bridget A. Walton	6.7 Prepare trial witness binders re deposition exhibits of deponents designated by Captiva; e-mail correspondence and telephone calls with Midwest Trial Services re obtaining and formatting of the video depositions of D. Stegmann to be sent to L. Dahl for review
6/22/2015 Jerina D. Phillips	5.2 Review Fidelity's response to motion to strike Sherman; research case law cited; draft reply
6/22/2015 Jerina D. Phillips	3.6 Review motion in limine to exclude DOI complaint; research cases cited; draft response
6/22/2015 John M. Hessel	3.3 Telephone conference with J. Davis re damages; analyze Fidelity's motion in limine; conference re motion in limine on behalf of Captiva; work on issues re testimony of J. Zanola and testimony of J. Davis
6/23/2015 John M. Hessel	2.1 Work on motions in limine; conference re trial matters
6/23/2015 David L. Scott	8.6 Work on opposition research re expert witnesses
6/23/2015 Jerina D. Phillips	9.8 Draft and edit response to motion to exclude DOI complaint
6/23/2015 Richard A. Wunderlich	5.8 Work on pre-trial matters; work on motions; prepare for deposition of D. Richmond
6/23/2015 Bridget A. Walton	6.5 Prepare trial witness binders re deposition exhibits of deponents designated by Captiva; prepare exhibits to Captiva's motions in limine
6/23/2015 Steven D. Hall	10.0 Finalize and file motions in limine; telephone conference with S. Briner re pretrial issues; correspondence with client re pretrial filings; work on reply brief in support of motion to strike M. Sherman; analyze reply brief in

support of motion to strike testimony of Captiva re damages; correspondence with J. Zanolà re testimony; work on response to motion in limine concerning the DOI complaint

6/24/2015 Steven D. Hall

10.0 Work on and file reply brief in support of motion to strike M. Sherman and response in opposition to motion in limine to exclude DOI-related evidence; correspondence with client re same; conference re research on background of newly-designated experts; research publications authored by D. Richmond

6/24/2015 Richard A. Wunderlich

5.3 Work on reply to motion to strike; work on pretrial filings and motions; prepare for deposition of D. Richmond; telephone conference with clients

6/24/2015 Jerina D. Phillips

10.0 Edit response to DOI motion; edit reply to motion to strike; review DOI documents to include in response to motion to exclude DOI evidence

6/24/2015 Jerina D. Phillips

1.3 Research re home owners testimony as to value of their property

6/24/2015 David L. Scott

7.5 Work on opposition research re expert witnesses

6/24/2015 John M. Hessel

2.2 Work on reply memorandum in support of motion to strike M. Sherman; work on testimony of J. Zanolà; review e-mail correspondence re deposition of M. Sherman

6/24/2015 Bridget A. Walton

6.5 Prepare trial witness binders re deposition exhibits of deponents designated by Captiva; prepare video deposition of D. Stegmann to be sent to L. Dahl for review; prepare exhibits for the deposition of Fidelity's expert witness D. Richmond

6/25/2015 John M. Hessel

3.1 Review J. Zanolà reports; telephone conference with J. Davis; review and respond to e-mail correspondence re trial matters; work on and prepare testimony of J. Zanolà; review documents and background information for deposition of M. Sherman

6/25/2015 Jerina D. Phillips

4.4 Review Fidelity's third, fourth and fifth motion in limine and cases cited therein; conference re the motions; draft response to Fidelity's third motion in limine

6/25/2015 Jerina D. Phillips

4.3 Research re Captiva's ability to testify as to value of property

6/25/2015 Jerina D. Phillips

1.2 Research re Captiva's ability to testify as to value of property

6/25/2015 David L. Scott

8.4 Work on opposition research re expert witnesses; research and draft memorandum in response to fourth motion in limine

6/25/2015 Bridget A. Walton

6.3 Prepare trial witness binders re deposition exhibits of deponents designated by Captiva; prepare trial witness binders re D. Stegmann,

	B. Stegmann, J. Davis; draft Captiva's objections to Fidelity's deposition designations
6/25/2015 Richard A. Wunderlich	5.5 Prepare for deposition of D. Richmond; work on responses to motions in limine; work on pre-trial submissions; attend and take deposition of D. Richmond
6/25/2015 Steven D. Hall	9.6 Conference re backgrounds and history of Fidelity's expert witnesses; draft supplemental disclosures; review research re justiciability; correspondence with J. Sewell re trial demonstratives
6/26/2015 Richard A. Wunderlich	7.0 Trial preparation including conference with D. Stegmann re trial testimony; work on responses to motions and review pre-trial filings by Fidelity
6/26/2015 David L. Scott	5.3 Research and draft memorandum in response to fourth motion in limine
6/26/2015 Steven D. Hall	10.0 Work on objections to Fidelity's discovery designations; work on responses to motions in limine; amend and file trial exhibit list; e-mail correspondence with T. Fritzlen re same; conference with J. Sewell re trial graphics; correspondence with L. Dahl re trial consultation; research re possible objection to Captiva's calculation of deadline for submitting pretrial filings
6/26/2015 John M. Hessel	3.8 Review e-mail correspondence from J. Zanola and draft reply; review information from J. Zanola; telephone conference with J. Davis re damages and opinions of M. Sherman; review analysis re mootness of declaratory judgment claim; review of research re value of property testimony by J. Davis; work on examination of M. Sherman; conference re pre-trial conference with court
6/26/2015 Jerina D. Phillips	6.4 Research re Captiva's ability to testify as to value of property; draft and edit response to Fidelity's third motion in limine
6/26/2015 Bridget A. Walton	5.4 Prepare trial witness binders re G. Dawley, B. Nielsen, B. Simpson, M. Gross, C. Detring, M. Blanchard, L. Perna and T. Bond; draft Captiva's objections to Fidelity's trial exhibits; review data relied upon by Fidelity expert S. Miller; assemble and review Fidelity's privilege logs; revise Captiva's trial exhibit list to include Fidelity's privilege logs
6/27/2015 Steven D. Hall	5.7 Work on objections to Fidelity's discovery designations; work on responses to third motion in limine re advice of counsel and fifth motion in limine re reinsurance
6/27/2015 David L. Scott	1.3 Draft memorandum in response to fourth motion in limine
6/27/2015 Richard A. Wunderlich	3.5 Work on pre-trial filings

6/28/2015 Steven D. Hall	7.5 Research re breadth of Court's previous rulings; work on response to fourth motion in limine re application of adverse inference; work on objections to Fidelity's discovery designations; research re possible application of res judicata on the basis that waiver was addressed in the mechanic lien litigation; edit responses to third and fifth motions in limine
6/28/2015 John M. Hessel	2.3 Review document in preparation for deposition of M. Sherman`
6/28/2015 Richard A. Wunderlich	2.0 Work on pre-trial matters and filings; work on oppositions to motions in limine
6/28/2015 Jerina D. Phillips	3.5 Edit and revise response to Fidelity's fourth motion in limine
6/29/2015 Steven D. Hall	9.6 Work on responses on the three remaining Fidelity motions in limine; work on objections to pretrial designations; conference call with graphics producers re trial exhibits; conference call with J. Zanola re testimony and M. Sherman deposition
6/29/2015 Bridget A. Walton	7.5 Prepare trial witness binders re G. Norton, C. Lindquist and J. Zanola; work on Captiva's objections to Fidelity's trial exhibits; work on Captiva's objections to Fidelity's deposition designations; prepare Fidelity's privilege logs to be sent to Fidelity; prepare exhibits to Captiva's motions in limine
6/29/2015 John M. Hessel	3.2 Work on issue in preparation for deposition; telephone conference with J. Zanola; conference re pending motions
6/29/2015 Richard A. Wunderlich	6.0 Work on responses to motions in limine; work on witness outlines; work on exhibits; review exhibits marked by Fidelity
6/29/2015 Jerina D. Phillips	9.8 Prepare pre-trial filings for filing, including responding to Fidelity's 4th and 5th motions in limine
6/30/2015 Jerina D. Phillips	3.8 Prepare reply to Fidelity's opposition to Captiva's first motion in limine
6/30/2015 Jerina D. Phillips	4.2 Prepare reply to Fidelity's opposition to Captiva's first motion in limine; research cases cited in the response
6/30/2015 John M. Hessel	6.0 Prepare for deposition of M. Sherman; telephone conference with J. Davis; exchange e-mail correspondence with J. Zanola
6/30/2015 Bridget A. Walton	7.3 Work on trial witness binders; review expert report and attachments of M. Sherman; prepare Fidelity's privilege logs to be sent to plaintiff as exhibits; review deposition transcript of D. Richmond; index deposition exhibits of D. Richmond; prepare exhibits for trial
6/30/2015 Richard A. Wunderlich	8.0 Review oppositions to motions in limine; work on outlines for cross examination; review transcript of underlying litigation; conference

	with L. Dahl
6/30/2015 Steven D. Hall	10.0 Conference with L. Dahl; work on reply in support of first motion in limine; research re submission of legal fees (level of detail needed to sustain a conclusion of reasonableness)
7/1/2015 Richard A. Wunderlich	8.0 Trial preparation; conference with clients
7/1/2015 Bridget A. Walton	6.4 Work on trial witness binders; prepare exhibits for trial
7/1/2015 Jerina D. Phillips	2.2 Review Fidelity's response in opposition to Second Motion in Limine; review Nielsen's report; draft motion for leave
7/1/2015 Jerina D. Phillips	4.8 Prepare pre-trial filings, including reply to second motion in limine
7/1/2015 Steven D. Hall	10.0 Prepare for trial, including conference with L. Dahl and clients re strategy, research re level of specificity needed to sustain a jury's finding that amount of attorney fees is reasonable, and research re any preclusive effect caused by the priority-related findings in underlying litigation on Fidelity's 3(a) defense; draft reply brief in support of motion to exclude 3(a) evidence
7/1/2015 John M. Hessel	6.8 Meet with J. Davis; prepare for and proceed with deposition of M. Sherman
7/1/2015 David L. Scott	5.4 Review Captiva billing records for possible redaction re privilege or work product
7/2/2015 David L. Scott	8.5 Review and edit reply in support of first motion in limine re coverage and 3(a) exception; research possibility of limiting reference to 3(a) exception as evidence of reasonableness in vexatious refusal to pay or defend; review Captiva billing records for possible redaction re privilege or work product
7/2/2015 Bridget A. Walton	5.5 Trial preparations including working on trial witness binders and preparing exhibits for trial; conference with R. Wunderlich S. Hall, D. Stegmann, B. Stegmann, J. Davis and Captiva's trial consultant, L. Dahl re trial witness preparations
7/2/2015 Jerina D. Phillips	3.9 Prepare pre-trial filings; review Fidelity's pre-trial filings; conference re same
7/2/2015 John M. Hessel	7.0 Meet with clients and consultants in preparation for trial; conference with J. Davis re testimony; telephone conference with J. Zanola re testimony of M. Sherman; draft e-mail correspondence responding to same
7/2/2015 Steven D. Hall	10.0 Prepare for trial, including meeting with L. Dahl and clients re strategy, conference re possible reply brief in support of motion to exclude some of B. Nielsen's testimony, and research re evidence needed to sustain claim

for attorney fees; edit and file reply brief in support of motion to exclude 3(a) evidence and motion for leave; research and conference re evidence that is admissible to show reasonableness in defending against a vexatious refusal claim

7/2/2015 Richard A. Wunderlich

7.0 Trial preparation; conference with clients re trial issue; work on pre-trial matters

7/3/2015 Steven D. Hall

10.0 Conference with J. Sewell re trial graphics; prepare for trial, including draft "talking points" memorandum for pretrial conference, review Fidelity's reply brief re use of adverse inference at trial, and research and prepare information for incorporation into possible trial demonstratives; correspondence with witnesses under subpoena re availability issues and new pretrial conference date; correspondence with C. Lindquist and J. Uecker re possible testimony; telephone conference with T. Whitledge re possible cross-examination of S. Miller

7/3/2015 Richard A. Wunderlich

6.5 Trial preparation

7/3/2015 John M. Hessel

5.7 Work on testimony of J. Davis; review documents re same

7/4/2015 Richard A. Wunderlich

6.0 Trial preparation

7/4/2015 Steven D. Hall

7.2 Prepare for trial, including draft direct examination outline for C. Lindquist, review Fidelity's pretrial filings in anticipation of pretrial conference, and review motions in limine and to strike in anticipation of oral argument at pretrial hearing

7/5/2015 Richard A. Wunderlich

7.0 Trial preparation

7/5/2015 Steven D. Hall

7.8 Prepare for trial, including research for purposes of assembling trial graphics and exhibit compilations, draft direct examination outline for C. Lindquist, and analyze objections to Captiva's proposed exhibits

7/5/2015 John M. Hessel

2.9 Work on testimony of J. Davis; review outline of D. Stegman testimony; review exhibits

7/5/2015 Jerina D. Phillips

8.6 Research issues to prepare for pre-trial conference; research evidence to show reasonableness in vexatious refusal to pay claim

7/5/2015 David L. Scott

3.1 Review Captiva billing records for possible redaction re privilege or work product

7/6/2015 David L. Scott

7.4 Review Captiva billing records for possible redaction re privilege or work product; compile fees and hours billed averages for Captiva re attorney fees for years 2010 through 2015

7/6/2015 John M. Hessel

6.8 Review research re 3(a) defense; review summary of trial exhibits; work on outline of

	testimony for J. Davis; prepare for hearing on motion; conference with J. Davis; review deposition testimony of C. Lindquist; review juror questionnaire
7/6/2015 Richard A. Wunderlich	7.0 Trial preparation; prepare for pre-trial conference
7/6/2015 Jerina D. Phillips	7.0 Preparation for trial; research re determinations of "reasonableness" with respect to attorneys' fees; review billings; draft outline for testimony re fees
7/6/2015 Steven D. Hall	10.0 Prepare for trial, including telephone conference with T. Whitledge re possible testimony and examination of S. Miller, prepare for pretrial conference, and research re submission of attorney fees
7/6/2015 Bridget A. Walton	8.8 Trial preparations including working on trial witness binders and preparing exhibits for trial; work on courtroom technology issues
7/7/2015 Steven D. Hall	10.0 Prepare for trial, including attend and argue at final pretrial conference, research re submission of attorney fees, and work on visual graphics for trial
7/7/2015 Jerina D. Phillips	4.8 Research re owner's testimony at to the value of their property in preparation for final pre-trial conference; review Linquist deposition transcript and reports; revise outline for Linquist direct examination
7/7/2015 Jerina D. Phillips	3.7 Review Linquist deposition transcript and reports; revise outline for Linquist direct examination; conference re final pre-trial conference
7/7/2015 Richard A. Wunderlich	8.0 Court appearance on pre-trial matters; conference with clients; trial preparation
7/7/2015 Bridget A. Walton	6.8 Trial preparations including working on trial witness binders and preparing exhibits for trial
7/7/2015 John M. Hessel	5.0 Prepare for and attend hearing re motions in limine and motions to strike; conference re rulings of court; prepare for testimony of C. Lindquist and review C. Lindquist report
7/8/2015 Richard A. Wunderlich	8.0 Trial preparation
7/8/2015 Jerina D. Phillips	3.7 Research re whether a court, and not a jury, can decide attorney's fees on vexatious refusal to pay claim; revise Linquist direct examination outline
7/8/2015 Jerina D. Phillips	3.9 Research whether an insurer can be liable for unmarketability of title
7/8/2015 John M. Hessel	6.0 Conference re proposal to dismiss tortious interference claim; conference re witness preparation and damages; conference with C. Lindquist; draft outline of testimony of C. Lindquist; exchange e-mail correspondence

	with J. Zanola; conference re presentation of witnesses and evidence
7/8/2015 Bridget A. Walton	11.2 Trial preparations including trial witness preparation of D. Stegmann; prepare witness binders; prepare exhibits for trial
7/8/2015 Steven D. Hall	10.0 Prepare for trial, including conference with L. Dahl re trial preparations, draft examination outline for C. Lindquist, and research re trial damage exhibits
7/9/2015 Steven D. Hall	10.0 Prepare for trial, including meeting with L. Dahl re trial strategy, research affecting trial exhibits, and communicate with potential witnesses re need and content of testimony
7/9/2015 John M. Hessel	7.4 Work on testimony of J. Davis; work on damages; meet with clients in preparation for testimony of J. Davis; exchange e-mail correspondence with C. Lindquist re testimony; exchange e-mail correspondence with J. Zanola re testimony
7/9/2015 Bridget A. Walton	11.1 Assist with trial witness preparation of D. Stegmann and J. Davis; prepare witness binders; prepare Captiva's second amended trial exhibit list; prepare exhibits for trial
7/9/2015 Jerina D. Phillips	7.9 Prepare for trial; research re damages for marketability
7/9/2015 David L. Scott	1.3 Work on trial exhibits
7/9/2015 Richard A. Wunderlich	7.0 Trial preparation
7/10/2015 Richard A. Wunderlich	9.0 Trial preparation
7/10/2015 David L. Scott	10.1 Search and compile trial exhibits; work on memorandum re mortgagee damages; research re measure of damages/expectation damages re mortgagee
7/10/2015 Jerina D. Phillips	10.3 Prepare for trial; research re damages for being "outside of the policy"; research re relevancy of joint stipulation of dismissal and letter re reimbursement
7/10/2015 Bridget A. Walton	12.3 Prepare witness binders of C. Lindquist, J. Zanola, D. Stegmann and J. Davis; work on Captiva's second amended trial exhibit list; prepare exhibits for trial
7/10/2015 John M. Hessel	5.3 Work on testimony of J. Davis; conference re damage claims and trial issues; review demonstrative document; work on trial binders and exhibits; telephone conference with J. Zanola
7/10/2015 Steven D. Hall	10.0 Prepare for trial, including research re jury instructions and trial exhibits, review deposition designations and exhibits, and communicate with graphic designers re appearance of trial visuals

7/11/2015 Steven D. Hall	10.0 Prepare for trial, including research re measure of damages, work on amended jury instructions and trial exhibit list, and communicate with graphic designers re appearance of trial visuals and design the same
7/11/2015 John M. Hessel	8.0 Work on damage issues; conference re same; work on testimony of J. Davis; conference with C. Lindquist and work on testimony outline; conference with J. Zanola and work on testimony outline; draft e-mail correspondence to C. Lindquist; draft e-mail correspondence to J. Davis
7/11/2015 Richard A. Wunderlich	7.0 Trial preparation
7/11/2015 Bridget A. Walton	8.0 Prepare for trial
7/11/2015 Jerina D. Phillips	8.6 Research re damages for breach of the policy; draft jury instruction; research re marketability damages
7/11/2015 David L. Scott	5.3 Legal research re measure of damages re failure to indemnify/breach of contract; draft jury instructions re compensatory damages; conference re same
7/12/2015 Jerina D. Phillips	6.2 Research re use of "incomplete" deposition transcript; research potential trial exhibits to show certain ethical duties; research re excluding certain evidence
7/12/2015 John M. Hessel	5.5 Conference with clients and prepare for trial
7/12/2015 Bridget A. Walton	5.0 Prepare for trial
7/12/2015 Richard A. Wunderlich	8.0 Trial preparation; conference with clients
7/12/2015 Steven D. Hall	10.0 Prepare for trial, including witness preparation, research in anticipation of jury instruction conference, and work on graphics; communicate with Fidelity's counsel re evidence and demonstratives; research and review the same; review newly-designated trial exhibits
7/13/2015 John M. Hessel	8.5 Prepare for and participate in trial; telephone conference with J. Zanola; telephone conference with C. Lindquist; review comments of J. Zanola; conference with clients
7/13/2015 Richard A. Wunderlich	9.0 Attend trial; trial preparation
7/13/2015 Bridget A. Walton	12.0 Prepare for and attend trial
7/13/2015 Jerina D. Phillips	8.7 Review documents that refer to DOI complaint for necessary redactions; review documents on Fidelity's amended exhibit list to determine their use and potential arguments
7/13/2015 Steven D. Hall	12.0 Prepare for and attend trial
7/14/2015 Steven D. Hall	12.0 Prepare for and attend trial

7/14/2015 Jerina D. Phillips	6.2 Review and analyze jury instructions, including case cited and M.A.I.; prepare jury instructions and binder for trial
7/14/2015 Richard A. Wunderlich	10.0 Trial preparation; attend trial
7/14/2015 John M. Hessel	12.0 Participate in trial; conference with J. Zanola re testimony; prepare for testimony of C. Lindquist and J. Zanola
7/14/2015 Bridget A. Walton	13.0 Prepare for and attend trial
7/15/2015 Richard A. Wunderlich	9.5 Trial preparation; attend trial
7/15/2015 Bridget A. Walton	11.0 Prepare for and attend trial
7/15/2015 Jerina D. Phillips	5.5 Analyze jury instructions; review Fidelity's Motion to Strike Zanola; prepare argument in opposition to Fidelity's motion to strike Zanola; conference re motion
7/15/2015 John M. Hessel	11.5 Prepare for and attend trial; conference with C. Lindquist re reply to motion to strike; conference with J. Davis re damages; conference with J. Zanola
7/15/2015 Steven D. Hall	12.0 Prepare for and attend trial
7/15/2015 David L. Scott	1.2 Review deposition transcripts for context of J. Zanola quotes cited by Fidelity in motion to strike
7/16/2015 Steven D. Hall	12.0 Prepare for and attend trial
7/16/2015 Bridget A. Walton	12.5 Prepare for and attend trial
7/16/2015 John M. Hessel	12.0 Prepare for and attend trial; meet with and prepare witnesses
7/16/2015 Richard A. Wunderlich	10.0 Trial preparation; attend trial
7/17/2015 Richard A. Wunderlich	9.0 Trial preparation; attend trial
7/17/2015 Bridget A. Walton	9.5 Prepare for and attend trial
7/17/2015 John M. Hessel	9.5 Prepare for and participate in trial; conference with clients re trial
7/17/2015 Steven D. Hall	12.0 Prepare for and attend trial
7/18/2015 Richard A. Wunderlich	6.0 Trial preparation
7/18/2015 Steven D. Hall	5.4 Prepare for second week of trial, including research re P. Cozzi, conference re adverse inference, and prepare/outline use of evidence to complete case in chief
7/18/2015 John M. Hessel	2.5 Work on closing argument and other trial related matters
7/19/2015 John M. Hessel	1.6 Work on outline of testimony for J. Davis; draft e-mail correspondence re same
7/19/2015 Richard A. Wunderlich	7.0 Trial preparation
7/19/2015 Steven D. Hall	6.7 Prepare for second week of trial, including

	research and review of P. Cozzi information in preparation for cross-examination, research re M. Dickhute's deposition and attempts to schedule same in order to rebut objection posed by Fidelity to use of Dickhute's uncertified transcript, and research and review of G. Dawley information in preparation for cross-examination
7/20/2015 Steven D. Hall	10.0 Prepare for second week of trial, including research and revision of jury instructions, research re G. Dawley and P. Cozzi for purposes of possible cross examination, and work on response to motion for directed verdict
7/20/2015 Richard A. Wunderlich	1.2 Trial preparation; conference with J. Norton re testimony
7/20/2015 Richard A. Wunderlich	7.0 Trial preparation
7/20/2015 John M. Hessel	1.0 Work on examination of J. Davis; conference with R. Wunderlich re various matters; telephone conference with J. Davis
7/20/2015 Jerina D. Phillips	1.6 Review jury instructions; research cases cited in jury instructions
7/20/2015 Bridget A. Walton	6.8 Prepare for trial
7/20/2015 David L. Scott	1.2 Revise jury instructions re breach of contract, damages
7/21/2015 David L. Scott	1.6 Summarize arguments in Fidelity motion for judgment as a matter of law; work on memorandum re same
7/21/2015 Bridget A. Walton	12.4 Prepare for and attend trial
7/21/2015 Jerina D. Phillips	4.0 Attend Captiva trial; research re the necessity of an offer of proof; analyze Advantage Bldgs. & Exteriors, Inc. v. Mid-Continent Cas. Co., 449 S.W.3d 16, 19 (Mo. Ct. App. 2014) to determine applicability to certain issues in Captiva trial
7/21/2015 Jerina D. Phillips	0.8 Review and analyze Fidelity's motion for a directed verdict
7/21/2015 Jerina D. Phillips	2.6 Conference re trial issues
7/21/2015 Jerina D. Phillips	3.8 Review D. Richmond's deposition transcript; draft cross examination outline
7/21/2015 John M. Hessel	8.0 Prepare for and attend trial
7/21/2015 Steven D. Hall	12.0 Prepare for and attend trial
7/21/2015 Richard A. Wunderlich	9.0 Attend trial; trial preparation
7/22/2015 John M. Hessel	1.0 Conference and work on issues for trial
7/22/2015 Richard A. Wunderlich	12.0 Trial preparation; attend trial and jury conference with Court

7/22/2015	Bridget A. Walton	12.0	Prepare for and attend trial
7/22/2015	Steven D. Hall	12.0	Prepare for and attend trial
7/22/2015	Jerina D. Phillips	2.8	Review D. Richmond's deposition transcript; draft cross examination outline; review vexatious refusal to pay statutes to determine whether costs are included
7/22/2015	Jerina D. Phillips	8.0	Attend Captiva trial
7/23/2015	Jerina D. Phillips	2.5	Revise jury instructions; research re mitigation of damages affirmative defense
7/23/2015	Jerina D. Phillips	6.7	Attend Captiva trial; attend jury instruction conference
7/23/2015	Richard A. Wunderlich	10.0	Trial preparation; attend trial
7/23/2015	Bridget A. Walton	12.0	Prepare for and attend trial
7/23/2015	John M. Hessel	0.5	Conference re jury instructions and related matters
7/23/2015	Steven D. Hall	12.0	Prepare for and attend trial
7/24/2015	Steven D. Hall	3.6	Prepare for and attend trial; outline possible issues for appeal; review fee invoices for purposes of submitting same to court
7/24/2015	Richard A. Wunderlich	2.0	Attend trial to conclusion of Jury verdict
7/24/2015	Bridget A. Walton	3.5	Prepare for and attend trial
7/24/2015	Jerina D. Phillips	3.0	Attend Captiva trial
Total hours		6,569.7	
Hourly rate		\$ 340.00	
		\$ 2,233,698.00	